



AGENDA STATE BOARD OF EDUCATION

March 8, 2010

Arkansas Department of Education

State Education Building

9:00 AM

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Reports

Report-1 Chair's Report

Presenter: Dr. Naccaman Williams

Report-2 Commissioner's Report

Presenter: Dr. Tom Kimbrell

Report-3 Presentation to Board by Director of the Arkansas Department of Health and State Health Officer, Paul K. Halverson, DrPH, FACHE

Paul K. Halverson, DrPH, FACHE, will address the board for a health and education update.

Presenter: Dr. Paul K. Halverson

Report-4 Report on Open Enrollment Public Charter School, School of Excellence, Humphrey, Arkansas

The State Board of Education approved the application for School of Excellence in November 5, 2007. The current five year charter contract for the school goes through June 30, 2013. The school was notified of an agenda item for the March State Board of Education meeting regarding a review of the school's financial status.

Presenter: Dr. Mary Ann Duncan Mr. Bill Goff

Consent Agenda

C-1 Minutes: February 8 and February 19, 2010

Presenter: Dr. Charles Watson

C-2 Commitment to Principles of Desegregation Settlement Agreement: Report on the Execution of the Implementation Plan

By the Court Order of December 1, 1993, the Arkansas Department of Education (ADE) is required to file a monthly Project Management Tool (PMT) to the court and the parties to assure its commitment to the Desegregation Plan. This report describes the progress the ADE has made since March 15, 1994, in complying with the provisions of the Implementation Plan (Plan) and itemizes the ADE's progress against the timelines presented in the Plan. The March report summarizes the PMT for February.

Presenter: Dr. Charity Smith Willie Morris

C-3 Newly Employed, Promotions and Separations

The applicant data from this information is used to compile the Applicant Flow Chart forms for the Affirmative Action Report, which

demonstrates the composition of applicants through the selecting, hiring, promoting and terminating process.

Presenter: Ms. Beverly Williams Ms. Clemetta Hood

C-4 Request for Approval of Stipulated Agreement – Kristy Reid

Ms. Reid was convicted of Forgery, 2nd Degree, in Faulkner County Circuit Court in 1995, a disqualifying offense pursuant to Ark. Code Ann. § 6-17-410(c)(33). Ms. Reid has no other criminal history. Ms. Reid was given the option to enter into a stipulated agreement with the Department of Education. Pursuant to the agreement, Ms. Reid's teaching license will be placed on probation for a period of two years from the issuance of her license. At the conclusion of the probationary period, provided that Ms. Reid has neither been charged with or convicted of any disqualifying offense under Ark. Code Ann. § 6-17-410 or has been found in violation of the Code of Ethics for Arkansas Educators, Ms. Reid will receive full licensure status.

Presenter: Jennifer Flinn

C-5 Report on Waivers to School Districts for Teachers Teaching Out of Area for Longer than Thirty (30) Days, Ark. Code Ann. § 6-17-309

Act 1623 of 2001 requires local school districts to secure a waiver when classrooms are staffed with unlicensed teachers for longer than 30 days. Waiver requests were received from 38 school districts covering a total of 54 teaching positions and 15 school districts requesting waivers for 17 long-term substitutes. None of these requests were from a district in academic distress. These requests have been reviewed, either approved or denied by Department Staff and are consistent with program guidelines.

Presenter: Beverly Williams

C-6 Consideration of Recommendation of the Professional Licensure Standards Board for Probation of Teaching License for Two (2) Years and a fine of \$75 for Case # 10-030 – Danny Collie

The Professional Licensure Standards Board's Sub-Committee on Ethics is recommending probation of teaching license for two (2) years and a fine of \$75 for Danny Collie for violation of **Standard 1: An educator maintains a professional relationship with each student, both in and outside the classroom.**

Presenter: Judy Kay Mason

C-7 Consideration of Recommendation of the Professional Licensure Standards Board for Probation of Teaching License for Three (3) Years and a \$75 fine with Continued Counseling on Case # 10-034 – Robert Zorn

The Professional Licensure Standards Board's Sub-Committee on Ethics is recommending probation of teaching license for three (3) years with a \$75 fine and continued participation in counseling for Robert Zorn for violation of **Standard 1: An educator maintains a professional relationship with each student, both in and outside the classroom**

Presenter: Judy Kay Mason

C-8 Consideration of Recommendation of the Professional Licensure Standards Board for a Written Reprimand and a Fine of \$50 for Case # 09-063 – Sharon Ward

The Professional Licensure Standards Board's Sub-Committee on Ethics is recommending a written reprimand and a fine of \$50 for Sharon Ward for violation of **Standard 6: An educator keeps in confidence secure standardized test material as well as information about students and colleagues obtained in the course of professional service unless disclosure serves a professional purpose or is allowed or required by law.**

Presenter: Judy Kay Mason

C-9 Discussion for FY2010 Public School Fund Budget Reductions

Since the initial FY10 budget was submitted in May of 2009, the State has experienced two major General Revenue budget reductions. On October 27, 2009, the Chief Fiscal Officer of the State lowered the General Revenue forecast by \$99,974,929; on January 11, 2010, the forecast was lowered again by \$106,004,025. The Public School Fund share of the reductions totaled \$37,154,053 for the October cut and \$43,773,047 for the January revision. In addition, on August 17, 2009, Educational Excellence Trust Funds supporting Foundation Aid were reduced by \$3,909,400. The total budgets cuts for the Public School fund in FY10 were \$84,836,500.

Fortunately, the Public School Fund ended FY09 with a \$50,141,638 unrestricted carry forward fund balance. Therefore, the initial Trust Fund reduction in August and the October General Revenue reduction were absorbed without a reduction in programs.

When the January budget cut was announced the remaining carry forward fund balance (\$4,838,669) was budgeted to minimize the impact on programs. The Department of Human Services requested an additional \$2,691,000 in Temporary Assistance to Needy Families (TANF) funds to provide additional support for the Better Chance program.

When the January cut was announced Dr. Kimbrell instructed all program managers to review all the various programs in the Public School Fund and identify savings that could be made that would not affect adequacy. All formula driven programs were recalculated using the most current data and other programs were reviewed to determine where savings could be made before the end of the fiscal year.

The attached worksheet outlines where the remaining \$36,243,378 in budgets adjustments could be made to finish the fiscal year.

Presenter: Bill Goff John Kunkel

Action Agenda

A-1

Consideration of Petition for Voluntary Administrative Annexation of the Turrell School District into the Earle School District

On February 10, 2010, the Department received a Petition for Voluntary Administrative Annexation of the Turrell School District into the Earle School District. The Turrell School District is on the 2010 "Act 60" Consolidation List, meaning that the district

must be consolidated with or annexed into one (1) or more districts as the district has fallen below 350 average daily student membership for both the 2007-2008 and 2008-2009 school years.

The current student population of the Turrell School District is 271 students (247 African-American), and the current student population of the Earle School District is 797, (763 African-American). Any annexation or consolidation involving the Turrell School District must be approved by the State Board of Education by May 1, 2010 to become effective as of July 1, 2010. The Turrell and Earle School Districts are contiguous to each other. The State Board of Education previously considered a Petition for Voluntary Annexation of the Turrell School District into the Earle School District at its April 13, 2009 meeting, and denied the Petition. A copy of the minutes of that meeting is attached.

The Department has attached a copy of the Petition with attachments, as well as copies of academic demographic, standards for accreditation and fiscal information for the two (2) districts. An opinion has been requested from the Attorney General's Office as to the segregative effect, if any, that would be caused to any school districts as a result of the proposed consolidation. The opinion has been received and attached.

Presenter: ADE Staff

A-2

Consideration of Petition for Voluntary Consolidation of the Wickes School District with the Van Cove School District (to be called Cossatot River School District)

On January 28, 2010, the Department received a Petition for Voluntary Consolidation of the Wickes School District with the Van Cove School District. Neither the Wickes School District nor the Van Cove School District are on the 2010 "Act 60" Consolidation List, which is comprised of districts that must be consolidated with or annexed into one (1) or more districts as the districts have fallen below 350 average daily student membership for both the 2007-2008 and 2008-2009 school years.

The current student population of the Wickes School District is 726 students (467 White, 232 Hispanic) and the current student population of the Van Cove School District is 435 students (398 White, 25 Hispanic). The Wickes and Van Cove School Districts are contiguous to each other.

The Department has attached a copy of the Petition with attachments, as well as copies of academic demographic, standards for accreditation and fiscal information for the two (2) districts. An opinion has been requested from the Attorney General's Office as to the segregative effect, if any, that would be caused to any school districts as a result of the proposed consolidation. The opinion is also

attached.

Presenter: ADE Staff

A-3

Consideration of Petition for Voluntary Administrative Annexation of the Delight School District into the Murfreesboro School District (to be called the South Pike County School District)

On February 25, 2010, the Department received a Petition for Voluntary Administrative Annexation of the Delight School District into the Murfreesboro School District. The Delight School District is on the 2010 "Act 60" Consolidation List, meaning that the district must be consolidated with or annexed into one (1) or more districts as the district has fallen below 350 average daily student membership for both the 2007-2008 and 2008-2009 school years.

The current student population of the Murfreesboro School District is 545 students (482 White, 26 Hispanic, 24 African-American). Any annexation or consolidation involving the Delight School District must be approved by the State Board of Education by May 1, 2010 to become effective as of July 1, 2010. The Delight and Murfreesboro School Districts are contiguous to each other.

The Department has attached a copy of the Petition with attachments. Academic, demographic, standards for accreditation and fiscal information for the two (2) districts will be forwarded to the State Board members separately when the information is available. An opinion has been requested from the Attorney General's Office as to the segregative effect, if any, that would be caused to any school districts as a result of the proposed consolidation. The opinion will be forwarded to the State Board members separately when it is received.

Presenter: ADE Staff

A-4

Consideration of Petition for Voluntary Administrative Annexation of the Weiner School District into the Harrisburg School District

On March 1, 2010, the Department received a Petition for Voluntary Administrative Annexation of the Weiner School District into the Harrisburg School District. The Weiner School District is on the 2010 "Act 60" Consolidation List, meaning that the district must be consolidated with or annexed into one (1) or more districts as the district has fallen below 350 average daily student membership for both the 2007-2008 and 2008-2009 school years.

The current student population of the Weiner School District is 323 students (308 White, 11 Hispanic), and the current student population of the Harrisburg School District is 1,134 students (1,075 White, 29 Hispanic). Any annexation or consolidation involving the Weiner School District must be approved by the State Board of Education by May 1, 2010 to become effective as of July 1, 2010. The Weiner and Harrisburg School Districts are contiguous to each other.

The Department has attached a copy of the Petition. Academic, demographic, standards for accreditation and fiscal information for the two (2) districts will be forwarded to the State Board separately when the information is available. An opinion has been requested from the Attorney General's Office as to the segregative effect, if any, that would be caused to any school districts as a result of the proposed consolidation. The opinion will be forwarded to the State Board members separately when it is received.

Presenter: ADE Staff

A-5

Renewal of District Conversion Public Charter School: Mountain Home High School Career Academies, Mountain Home, Arkansas

Mountain Home High School (MHHS) Career Academies is a District Conversion Public Charter School located at 500 Bomber Boulevard, Mountain Home, Arkansas. MHHS Career Academies serves students in grades 9-12 with a current enrollment of 1203 students. The Mountain Home School Board of Education approved the proposed renewal of the charter on December 17, 2009. Staff members from the Arkansas Department of Education (ADE) have reviewed the renewal application and have submitted reports regarding monitoring of the school. Copies of the renewal application and the ADE report have been included for review by the State Board of Education. The applicant is requesting to be granted a Renewal of their District Conversion Charter from the State Board of Education for a five (5) year period.

Presenter: Dr. Mary Ann Duncan

A-6

Renewal of District Conversion Public Charter School: Ridgeroad Middle Charter School,

North Little Rock, Arkansas

Ridgeroad Middle Charter School is a District Conversion Public Charter School located at 4601 Ridge Road, North Little Rock, Arkansas. Ridgeroad Middle Charter School serves students in grades 7-8 with a current enrollment of 455 students. The Board of Education of the North Little Rock School District approved the proposed renewal of the charter on December 17, 2009. Staff members from the Arkansas Department of Education (ADE) have reviewed the renewal application and have submitted reports regarding monitoring of the school. Copies of the renewal application and the ADE report have been included for review by the State Board of Education. The applicant is requesting to be granted a Renewal of their District Conversion Charter from the State Board of Education for a five (5) year period.

Presenter: Dr. Mary Ann Duncan

A-7

Reconsideration of the District Conversion Public Charter School Application for STAR Academy - Pulaski County Special School District.

STAR Academy Charter is a proposed district conversion public charter school to be located within the Pulaski County Special School District in North Little Rock, Arkansas. Students in grades 9-10 would be served with a proposed first year enrollment of 80 students and a maximum cap of 120 in subsequent years. The facility is located at 201 Sharp Street, Jacksonville, Arkansas. The application for STAR Academy Charter was heard by the State Board at the January 19, 2010, meeting. At that time the application was denied by the Board. The Public Charter School Office has received a request by the Pulaski County Special School District to reconsider the application at the March 8, 2010, meeting of the State Board. Additional information of clarification regarding the application has been submitted for your review. The applicant is requesting to be granted a District Conversion Charter from the State Board of Education.

Presenter: Dr. Mary Ann Duncan

A-8

Reconsideration of the District Conversion Public Charter School Application for Harris Science and Health Elementary Charter - Pulaski County Special School District.

Harris Science and Health Elementary Charter is a proposed district conversion public charter school to be located within the Pulaski County Special School District in North Little Rock, Arkansas. Students in grades K-5 would be served with a proposed cap of 500 students. The facility is located at 4424 Highway 161 North, North Little Rock, Arkansas. The application for Harris Science and Health Elementary Charter was heard by the State Board at the January 19, 2010, meeting. At that time the application was denied by the Board. The Public Charter School Office has received a request by the Pulaski County Special School District to reconsider the application at the March 8, 2010, meeting of the State Board. Additional information of clarification regarding the application has been submitted for your review. The applicant is requesting to be granted a District Conversion Charter from the State Board of Education.

Presenter: Dr. Mary Ann Duncan

A-9

Consideration for Public Comment: Proposed Revision to Rules Governing the Arkansas Comprehensive Testing, Assessment and Accountability Program

Act 1307 of 2009 substantially amended the requirements for end-of-Course assessments, including the requirement that the Arkansas State Board of Education (Board) establish by rule the requisite (pass) scale score for high stakes end-of-course assessments. Act 1307 of 2009 requires that beginning in the 2009-2010 school year, all students in Grade 9 or below who are enrolled in Algebra I must complete and meet the requisite scale score on the End-of-Course Algebra I Examination in order to receive an academic credit towards graduation. The End-of-Course Algebra I pass scale score was determined by a statewide committee of educators who engaged in a standard setting process in January 2009. The Board approved the pass raw cut score for Algebra I on February 9, 2009. The Department recommends that an End-of-Course Algebra I Examination pass scale score of 159 and above be set forth in Section 6.0 of the Arkansas Department of Education Rules Governing the Arkansas Comprehensive Testing, Assessment and Accountability Program (ACTAAP). The Department also recommends that the tables in Section 6.04 of the ACTAAP Rules be revised. The recommended changes reflect the need to provide scale score ranges that correspond with proficiency levels.

Because the revisions are necessary for the Board and the Department to comply with Act 1307 of 2009 during the Spring 2010 testing cycle, the Board approved the Arkansas Department of Education Emergency Rules Governing the Arkansas Comprehensive Testing, Assessment and Accountability Program at its December 14, 2009 meeting. The Emergency ACTAAP Rules will expire on April 21, 2010. The Department requests the Board's approval to release these proposed revisions to the ACTAAP Rules for public comment.

Presenter: Dr. Gayle Potter

- A-10** **Consideration for Public Comment: Proposed Rules Governing the Arkansas College and Career Readiness Planning Program**
- Act 730 Of 2009 (attached) created the “Arkansas College and Career Readiness Planning Program” (Program). The intent of the Program is to reduce the need for college remediation by the early-required administration of the Explore and Plan Pre-ACT Assessments (or PSAT Assessment) to all public school students. The assessments will be used by schools to assist students with college and workforce readiness skills, high school course selection, and improved academic achievement.*
- The Department requests the Board’s approval to release these proposed rules for public comment.*
- Presenter:** Dr. Gayle Potter
- A-11** **Consideration of Final Approval: Revised Rules Governing Eligibility and Financial Incentives for National Board for Professional Teaching Standards Candidacy and Certification.**
- The Rules Governing Eligibility and Financial Incentives for National Board for Professional Teaching Standards Candidacy and Certification were approved for public comment on June 8, 2009. A public hearing was held in the auditorium of the Arkansas Department of Education on September 1, 2009. Public comments received were taken into consideration in the revision of these rules. The version previously adopted for public comment contained a section dedicated to Speech-Language Pathologist. Comments suggested that Speech-Langage Pathologist issues warranted a separate rule, which was accepted. A separate rule is being submitted to include policy regarding Speech-Language Pathologists.*
- Presenter:** Beverly Williams
- A-12** **Consideration for Public Comment: Rules Governing Eligibility and Financial Incentives for Certified Speech-Language Pathologists**
- The Rules Governing Eligibility and Financial Incentives for Certified Speech Language Pathologists who hold Certificate of Clinical Competence in Speech-Language Pathology from the American Speech -Language- Hearing Association have been separated from the National Board for Professional Teaching Standards Rules governing bonus incentives. This split is pursuant to public comments therefore these new rules are being released for public comment.*
- Presenter:** Beverly Williams
- A-13** **Consideration for Public Comment: Rules and Regulations Pertaining to the Immunization Requirements by the Arkansas State Board of Health and Arkansas Department of Health in Arkansas Schools**
- Immunizations against poliomyelitis, diphtheria, tetanus, pertussis, red (rubeola) measles, mumps, rubella, varicella (chickenpox), Haemophilus influenzae type b, hepatitis B, and pneumococcal, and other communicable diseases have resulted in a dramatic decrease in the incidence of these diseases in Arkansas. However, these diseases continue to occur in childcare facilities, schools, and colleges and universities. A requirement that children and students furnish proof that they have immunity against certain communicable diseases will reduce the potential for an outbreak of those diseases. The attached Rules and Regulations Pertaining to Immunization Requirements are duly adopted and promulgated by the Arkansas State Board of Health pursuant to the authority expressly conferred by the laws of the State of Arkansas including, without limitation, Ark. Code Ann. § 20-7-109, Ark. Code Ann. § 6-18-702, Ark. Code Ann. §§ 6-60-501 - 504, Ark. Code Ann. § 20-78-206.*
- Presenter:** Dr. Dee Cox
- A-14** **Consideration for Public Comment: Request to Rescind Rules and Regulations Pertaining to the Kindergarten through 12th Grade Immunization Requirements Pursuant to Act 244 of 1967, Act 633 of 1973, and Act 871 of 1997 for the Arkansas Department of Education**
- New Rules and Regulations Pertaining to Immunization Requirements have been duly adopted and promulgated by the Arkansas State Board of Health pursuant to the authority expressly conferred by the laws of the State of Arkansas including, without limitation, Ark. Code Ann. § 20-7-109, Ark. Code Ann. § 6-18-702, Ark. Code Ann. §§ 6-60-501 - 504, and Ark. Code Ann. § 20-78-206, which require ADE to resend Immunization Requirements Pursuant to Act 244 of 1967, Act 633 of 1973, and Act 871 of 1997 .*
- Presenter:** Dr. Dee Cox
- A-15** **Consideration for Public Comment: Rules Governing School Based Automated External**

Defibrillator Devices in Arkansas Public Schools

The purpose of these rules is to establish the requirements and procedures for governing school-based Automated External Defibrillator (AED) devices and Cardiopulmonary Resuscitation (CPR) programs in Arkansas Public Schools. Pursuant to the Authority of the State Board of Education under Ark. Code Ann § 6-10-122 et. seq., these shall be known as the Arkansas Department of Education Rules Governing School-Based Automated External Defibrillator (AED) devices and Cardiopulmonary Resuscitation (CPR) programs. The applicant is requesting the Arkansas Department of Education Rules Governing School-Based Automated External Defibrillator (AED) devices and Cardiopulmonary Resuscitation (CPR) programs be submitted for public comment.

Presenter: Dr. Dee Cox

A-16

Consideration for Public Comment: Rules Governing Closing the Achievement Gap

Act 949 of 2009 created the "Closing the Achievement Gap Program" (Program). The Program identifies and defines a "chronically underperforming school, " and requires the Department to adopt rules, which direct the use of the school's national school lunch state categorical funds for strategies to close gaps in academic achievement.

The Department requests the Board's approval to release these proposed rules for public comment.

Presenter: Dr. Alice Barnes Rose

A-17

Consideration for Public Comment: Rules Governing Appeals Involving Student Residency Disputes Between School Districts

These proposed rules have been drafted to implement Act 1310 of 2009, which creates a process for resolving disputes between school districts concerning a student's proper school district of residence. Act 1310 allows for a preliminary investigation between two school districts when one school district has reason to believe that a student is unlawfully attending school in another school district. A school district may appeal from another school district's determination regarding the proper residency of the student to the Department of Education. Act 1310 requires that a departmental hearing officer investigate the appeal and conduct a hearing. A school district may appeal from the hearing officer's final decision to circuit court.

The Board approved the Arkansas Department of Education Emergency Rules Governing the Appeals Involving Student Residency Disputes Between School Districts at its December 14, 2009 meeting. The Emergency Rules will expire on April 21, 2010. The Department requests the Board's approval to release these Rules for public comment.

Presenter: Jeremy Lasiter

Reports

Report-1 Designation of Nominations Committee for 2010-2011

The Board Operating Guidelines provide for the naming of a Nominations Committee that will prepare a slate of officers (chairman and vice-chairman) for the 2010-2011 fiscal year. The Nominations Committee will report at the regular May meeting.

Presenter: Dr. Naccaman Williams

Minutes
State Board of Education
Monday, February 8 and continued on
Friday, February 19, 2010

The State Board of Education met on Monday, February 8, 2010, in the Auditorium of the State Education Building. That meeting was adjourned at 12:30 p.m. due to inclement weather. Agenda items not considered on February 8, 2010, were heard on Friday, February 19, 2010.

Monday, February 8, 2010

Dr. Naccaman Williams, Chair, called the meeting to order at 9:00 a.m. The following Board members attended: Dr. Naccaman Williams, Chair; Jim Cooper, Vice-Chair; Sherry Burrow; Sam Ledbetter; Alice Mahony; Toyce Newton; and Vicki Saviers. Brenda Gullett and Dr. Ben Mays attended via telephone conference call.

Chair's Report

Dr. Williams reported that the Chair did not have a report. Ms. Mahony reported on a follow up conference with the military that focuses on preparedness of individuals entering military service.

Commissioner's Report

Dr. Kimbrell noted a recent award and recognition program for 132 schools sponsored by ACT and the National Center for Educational Achievement. Dr. Kimbrell also reported that Arkansas' data system has received national recognition placing the State as second in the nation for building and maintaining a student information system with longitudinal data.

Consent Agenda

Mr. Ledbetter moved adoption of the Consent Agenda. Mr. Cooper seconded the motion. The motion was adopted unanimously.

- Minutes – January 19, 2010
- Commitment to Principles of Desegregation Settlement Agreement: Report on the Execution of the Implementation Plan
- ALP Waivers for February 2010
- Review of Loan and Bond Applications
- Newly Employed, Promotions and Separations

Action Agenda

Consideration for Final Approval: Proposed Revision of Rules Governing the Requirements and Procedures for Renewing a Standard Arkansas Teaching License

Beverly Williams was recognized to present this item. Ms. Williams stated that public comment was received regarding this item and revisions were made based on those comments. Ms. Mahony asked about qualifications for teaching concurrent credit courses. Ms. Williams stated that those requirements were based on the college or university that is granting the credit: generally those teachers must have at least a Master's Degree in the discipline and be approved by the college or university.

Ms. Burrow moved approval as submitted. Mr. Cooper seconded the motion. The motion was adopted unanimously.

(A transcript of the deliberations for the following items was submitted by the court reporter. That transcript is available in the State Board Office at the Department of Education.)

Consideration of Petition for Voluntary Administrative Consolidation of the Delight School District with the Weiner School District (to be called the Arcadia School District).

Jeremy Lassiter was recognized to present this item. Mr. Lassiter stated that legal requirements for notification and submission of petitions were met. He also summarized the process for deliberation on this item.

Mr. Lassiter recognized attorney Cale Block representing the Weiner School District to present the proposal. Others participating in the presentation and questioning included Lavon Flaherty, superintendent of Delight School District; Charles Hanson, superintendent of Weiner School District; Patricia Hesse, representing the Weiner School District; and Jay Beckett attorney for Delight School District.

Following the presentation, the Chair asked if anyone in the audience wished to speak in opposition to the proposed merger; there was no response.

Mr. Beckett stated that the outcome of this deliberation will be important to the future of annexation or consolidation in that these districts are not in close proximity and that distance learning is playing such a major role in the provision of curriculum for students in both of these schools.

Ms. Burrow asked about potential cost savings to the operation of the new district as compared to operation of two independent districts. Mr. Block responded that the major cost saving

would be one administrative position and support staff. Additionally, he noted that the districts would receive approximately \$2.7 million in consolidation incentive money, which is one-time money for the new district's operation. Mr. Block also noted that with distance learning other instructional positions might be reduced at the high school campuses.

Mr. Cooper observed that the application was well drafted and met the intent of the school consolidation requirements. However, he inquired as to the issue of these two districts and the lack of a merger consideration with a contiguous district, or at least one in the proximity. Radius Baker, superintendent of Valley View District, stated that the Valley View District Board met with representatives from Weiner on more than one occasion and it became apparent that a consolidation would not be in the best interest financially for the Valley View District – especially when future construction funds might be requested. Danny Samples, superintendent of the Harrisburg School District reported that a meeting between the two boards (Weiner and Harrisburg) was not productive. Curtis Turner, Superintendent of the Murfreesboro School District stated that the Murfreesboro board was open to annexation with Delight and there had been conversations between the two boards. He did note disagreements over finances and relative wealth of districts.

Dr. Williams asked about the proximity of the Delight and Murfreesboro districts. Mr. Flaherty stated that there was about 14 miles between the schools; however, he noted that travel distance for students from the edge of the district would be significant.

Ms. Mahony asked if either of the districts were declared isolated. The superintendents responded that Weiner was isolated and Delight was not.

Ms. Gullett asked about the remediation rate of the two districts. Mr. Flaherty stated that in Delight the past year's remediation rate was high, but that was a result of a few students not making above 19 on the ACT and the fact that most of the Delight graduating students took the ACT. At Weiner it was reported that the remediation ration was about 50%. Mr. Flaherty stated that the Delight teachers do work very hard and are aware of the need for students to improve on the ACT exam.

Dr. Mays asked about the board configuration under the proposed new organization. Mr. Block stated that the Argenta District would have seven elected board members: four from Delight attendance zone and three from Weiner. This distribution is based on relative size of the student population and size of the districts. Representatives from the Weiner District confirmed this proposed organization would be agreeable to that community if the proposal were approved.

Ms. Burrow asked if either district had contacted other non-contiguous districts regarding consolidation. Only Weiner responded that it had – Weiner reported conversations with Turrell, but determined quickly that that would not work for financial reasons.

Dr. Mays noted that both of these campuses would have to retain a high school with low enrollments. He questioned where the cost savings would be seen. Mr. Block responded that there could be some sharing of teachers via distance learning as well as cooperative purchasing and the savings of one administrative unit.

Mr. Cooper moved denial of the proposal. Ms. Mahony and Mr. Ledbetter seconded the motion. The motion was adopted unanimously on a roll-call vote.

The following reasons were cited for voting to deny the proposed consolidation:

- Cooper: believes there are better options for students under a different organizational structure.
- Burrow: expressed concern about the administrative structure and the relative distance between the campuses.
- Gullett: agrees with colleagues and believes there are more practical options.
- Ledbetter: does not believe the proposal shows an improved learning environment for students and there is no apparent cost savings under this arrangement.
- Mahony: does not believe that this arrangement will enhance student learning environment.
- Mays: is not convinced that there is any monetary efficiency in this proposed arrangement.
- Saviers: does not believe there is any academic advantage for students under this proposal.

Jim Cooper left the meeting.

Consideration of Accreditation Status of Twin Rivers School District

Dr. Charity Smith was recognized to present this item. Dr. Smith summarized the actions of ADE and staff members in collecting information about the status of management and accreditation standing of the schools in the Twin Rivers District. Dr. Smith's report noted continued probationary status in the areas of curriculum, students meeting graduation requirements, teacher qualifications, and issues with the school calendar.

Carl Gilliland, superintendent of the Twin Rivers School District, requested to make a statement. Mr. Gilliland stated that the issues and problems with the accreditation status of the district were directly related to his administration and lack of attention to detail as required. Mr. Gilliland indicated that he had submitted his resignation to the local board effectively. He suggested that there are some things on the list that can be fixed immediately, some that cannot, he asked that his resignation be considered as a first step in correcting the issues at the schools. He affirmed that in his position working with a consolidated district with two communities competing has been most difficult.

Charles Fowler, president of the Twin Rivers School Board, was recognized to present a proposed plan to correct the issues noted. Mr. Fowler stated that the Board had accepted the resignation of Mr. Gilliland and that Ms. Collette Caruthers who currently is employed at the Williford campus is being recommended as interim superintendent and the appointment would be effective immediately. He indicated that Ms. Caruthers would continue to work from the Williford campus but administer both schools. He also noted that the Board is proposing to consolidate the two campuses at the close of the current school year with a major cost savings going into a new academic year. He assured the Board that the Twin Rivers Board was committed to moving forward with plans that will be best for the district, not either of the two independent communities.

Mr. Robert Washburger, a Twin Rivers board member, presented a plan to meet the curriculum requirements.

Mr. Ledbetter asked Jeremy Lassiter to outline the Board's options in dealing with the issues of the district. Mr. Lassiter cited options from the Rule.

Ms. Mahony expressed concern that the local board has not been more responsive to the accreditation status over these past two years. Mr. Fowler responded that the local board was not made aware of any of the conditions or the issue of accreditation probation. Mr. Fowler stated that they only became aware after contact from the Department of Education.

Ms. Gullett observed that it is unbelievable that three students may not be able to graduate because of the lack of curriculum offerings.

Dr. Kimbrell asked for clarification about two different calendars and which – if either – was the one being used and which was officially adopted by the board. Mr. Fowler stated that it does not appear that either are what was adopted in September and distributed to the students. Dr. Kimbrell asked if the calendar was only adopted in September and Mr. Fowler affirmed. Dr. Kimbrell asked if the other review procedures were used before final adoption – the answer from Mr. Fowler was no. Mr. Gilliland stated that the calendar presented to the review committee was a version of what was adopted and was not the one being followed.

Dr. Williams asked Dr. Kimbrell for the Department's recommendations.

Dr. Kimbrell provided the following:

- The State Board allow the Department of Education to take administrative control of the district immediately.
- The local schoolboard of education be relieved of any duties from this date forward.
- The Department be allowed to place an interim administrator in the district who would have first priority to assure students get an adequate education, and

- The State Board of Education take additional action at the end of the current school year to consolidate or split this district into contiguous districts so as to effectively provide adequate education for all the students in this district.

Dr. Mays asked for clarification on splitting the students into contiguous districts. Dr. Kimbrell stated that because of the terrain and relative size of this already consolidated district, the best course of action may be to split the students into a number of other local districts. He stated such action would take a lot of work and organization, but it is probably the best course of action at this time.

Ms. Gullett moved that the recommendations submitted by Dr. Kimbrell be adopted in total. Dr. Mays seconded the motion. The motion was adopted unanimously on a roll-call vote.

Because of snow accumulation, the meeting was adjourned at 1:00 p.m. The Board agreed to resume consideration of the agenda on Friday, February 19, 2010, beginning at 9:00 a.m.

February 19, 2010

Chair's Report

Dr. Williams noted a recent publication; *Chicken Soup for the Soul, Teacher's Tales* includes a story submitted by Arkansas Teacher of the Year Susan Waggoner.

Commissioner's Report

Dr. Kimbrell provided an update on the status of ADE's assumption of the operation of Twin Rivers School District. He stated that ADE staff conducted a meeting on Monday, February 15, in the cafeteria on the Williford school campus, which was attended by about 500 people from the district. Dr. Kimbrell reported that Tommy Arant, a retired superintendent and former regional service cooperative director, agreed to accept the position of interim superintendent. Mr. Arant started work on Tuesday (Feb. 16). Dr. Kimbrell noted that after Monday's meeting many of the adults in the session came to the conclusion that they must move on. Dr. Kimbrell stated that the Department is asking for a full financial audit, which will help reveal additional financial issues that will cause concern for dissolving the district.

Dr. Kimbrell commended the work of Dr. Charity Smith and other Department staff in carrying out the agencies responsibilities regarding the Twin Rivers District.

Request for Open-Enrollment Charter School Modification: e-Stem High Public Charter School, Little Rock, Arkansas

Dr. Mary Ann Duncan was recognized to present this item. Dr. Duncan indicated that the three schools associated with e-Stem were seeking enrollment cap extensions and that the high

school was seeking authorization to relocate to a new facility in the same vicinity of downtown Little Rock. Dr. Duncan introduced Mr. John Bacon, administrator, e-Stem High School to make the presentation.

Mr. Bacon stated that his presentation would provide a program and enrollment up-date that reflects the status of each of the three e-Stem schools.

Questions regarding the high school: Ms. Burrow asked about the number of students that did not return and enroll in the 10th grade following the first year of operation. Mr. Bacon did not have the exact number but indicated that it was no more than four or five.

Ms. Gullett asked about the results of testing and noted that from the data presented it was difficult to determine progress of individual students. Mr. Bacon observed that the school only has one year of data from the school on which to base reporting.

Mr. Cooper questioned the structure of the proposed lease agreement and noted that the stated lease amount of \$350,000 per year was subject to final negotiations and other conditions. John French, president of Southern Realty a subsidiary of Southern Bancorp CDC, acknowledged that it is not possible to provide an exact lease agreement given the complexity of completion of the reconstruction and pending tax advantages that could be realized because the building is on the National Register of Historic Places.

Ms. Mahony asked about the number of projected students at the high school level should the enrollment cap be extended. Mr. Bacon stated that the high school will be one year from having a full component of grades. He noted that the school began last year with 9th grade, added 10th this year and would add 11th in the 2010-2011 school year. He stated that the numbers, be design will be about 100 short of the cap to allow for the planned adding of grades. He stated that there was more than enough students already on the waiting list to fill the vacancies should the cap be extended.

Mr. Ledbetter asked about the percentage of students eligible for NSLA funding. Mr. Bacon stated that cannot be determined because all slots will be filled by the open lottery, which is required by state law. The diversity of the student and their socio-economic background will be determined by the draw, he stated.

Dr. Mays observed that he was comfortable that the school was not being managed as a school for white flight. He did indicate that it would be helpful to see comparison data from “like” students in the longitudinal study. Mr. Bacon responded that the only controlling factor is the results of the open lottery for positions and that is somewhat determined by who applies for enrollment.

Ms. Gullett noted comments by Mr. French that his company had invested in facilities for other charter schools in the state. She asked him to identify those entities. Mr. French responded

that his company had worked with the KIPP Academies and the new construction for Jacksonville Lighthouse Academy.

Ms. Burrow asked about security measures in place in the downtown location. Mr. Bacon responded that each external door was secured by a magnetic card entry system for all students and staff. Also, he stated that uniformed security officers were on duty in the lobby at all times. He stated that such security measures would be part of the new facility if approved.

Ms. Gullett asked about ultimate numbers in the e-Stem system. Mr. Bacon responded that it was his belief that the number 500 appears to be the right size for a high school – it's big enough to offer all required courses and electives and it's small enough so that no student gets lost in the system. Mr. Cooper pushed the idea that e-Stem would not be back next year asking for additional cap extensions. Mr. Bacon stated that the full component of students will not be in place until 2011-2012 and he affirmed that they would not be back seeking an extension for the high school.

Dr. Mays asked if there were any personal relationship issues with e-Stem staff and anyone in the business end of Southern Bancorp from which the lease is being secured. Mr. French suggested that the lease can be carefully reviewed by the ADE legal department before it is final. Dr. Mays said it was appropriate and essential for the legal staff to oversee the "legal" components of the lease agreement, but he believes there are programmatic issues that should be reviewed and approved by the Board. Dr. Mays noted the many questions remaining unanswered about the lease causes concern for approving the lease agreement and new facility at this time. Mr. Ledbetter asked Jeremy Lassiter if the Board had ever approved a lease agreement for a charter school with this many unanswered questions. Mr. Lassiter stated that it was the Board's option, but most lease agreements have not been open-ended. Dr. Mays asked if the \$350,000 included taxes, insurance and maintenance. Mr. French responded once the final amount is determined the lease will be all inclusive. Mr. French affirmed that he believes the projected amount is high and that it could be lower based on the tax options that are pending.

Mr. Ledbetter affirmed that all student increase options are dependent on the high school moving to new facilities. Mr. Bacon responded yes.

Mr. Cooper stated that the Board needs to see a lease agreement and asked how long before it would be available. Mr. French stated there are things pending that have to be done and there are issues in construction costs that remain undetermined, so it could be done in three weeks, but he would not be specific. Jess Askew, attorney for e-Step, asked to comment. Mr. Askew stated that tax issues are complex, especially for this issue and the entities will not know for some time. He asked the Board if it could recommend a cap on the lease agreement with terms no less favorable and that cap can be \$350,000.

Ms. Gullett stated that she continues to be frustrated with the amount of time the Board spends hearing and dealing with issues related to charter schools. She believes that by spending too much time on charter schools, the remainder of schools in the state are being shortchanged.

Dr. Kimbrell responded that charter schools are still relatively new and the state and the Board are learning to respond on an “as we go” basis. He announced that ADE has received a grant that will help study the review and recommendation process and hopefully this will help streamline the review process.

Mr. Ledbetter moved that the enrollment cap for e-Stem High School be extended by 100 to a maximum of 500 students and that the requested relocation be approved subject to negotiation of a lease agreement with the landlord that does not exceed \$350,000 annually with terms no less favorable than its existing lease with the current landlord. Mr. Cooper seconded the motion. The motion was adopted unanimously on a roll-call vote.

Chris Heller, attorney for the Little Rock School District asked the status of a letter that he sent to Dr. Kimbrell earlier in the week stating the District’s opposition to the expanded enrollment caps. Dr. Kimbrell acknowledged receiving the letter. The letter was entered into the record.

Request for Open-Enrollment Charter School Modification: e-Stem Middle Charter School, Little Rock, Arkansas

Dr. Mary Ann Duncan was recognized to present this item. Dr. Duncan noted that the presentation made by Mr. Bacon during the first agenda item included data pursuant to the item under consideration. The Chair asked Mr. Bacon if additional comments were planned. Mr. Bacon responded no.

There was no additional discussion on this item.

Mr. Cooper moved approval to increase the enrollment cap to 500 students. Ms. Burrow seconded the motion. The motion was adopted unanimously on a roll-call vote.

Request for Open-Enrollment Charter School Modification: e-Stem Elementary Charter School, Little Rock, Arkansas

Dr. Mary Ann Duncan was recognized to present this item. Dr. Duncan noted that the presentation made by Mr. Bacon during the first agenda item included data pursuant to the item under consideration. The Chair asked Mr. Bacon if additional comments were planned. Mr. Bacon responded no.

Ms. Burrow extended congratulations on the recognition in Family Magazine. She noted a visit to the school last year and was favorably impressed with the development of the program. Ms.

Burrow noted that the elementary school failed to make Adequate Yearly Progress (AYP) for the previous year with one sub-group failing to make the expected AYP status on the Benchmark Exam. Mr. Bacon acknowledged the problem with specifically fourth grade students and that the school has taken steps to correct the issue for this year. He noted that all fourth grade teachers from last year were either replaced or reassigned. He believes that the Board will see a vastly different result this year. Mr. Bacon also noted other actions to improve student performance: focus on literacy, use of NWEA testing periodically throughout the year, emphasis on writing and response to open response items and the short summer vacation – 5 weeks – hopefully will decrease student learning loss during the summer.

Ms. Mahony asked about Grade 4 literacy numbers and why they were not included in the data provided and were the students who were not proficient promoted. Mr. Bacon stated that all students are assessed. Students were promoted, but each student not proficient was promoted with an individual learning plan and attention is given throughout the year to help students meet the expected gains.

Dr. Mays moved for approval of the enrollment cap to 495. Mr. Cooper seconded the motion.

Mr. Ledbetter stated that he would be voting against the motion because he believes the statute requires the Board to hold the school to high academic accountability. Ms. Newton asked for attorney opinion based on Mr. Ledbetter's comment. Mr. Lassiter stated that there is no specific prohibition in the rule, but one could infer that such restriction could be considered legislative intent that they be given a year to address improvement status.

The motion failed on a roll-call vote 3 yes, 4 no (Ledbetter, Mahony, Mays and Newton voted no).

Consideration of District Conversion Public Charter School Application: Cloverdale Aerospace Technology Conversion Charter Middle School, Little Rock School District

Dr. Mary Ann Duncan was recognized to present this item. Dr. Duncan stated that this in a continuation of the presentation that was delayed from the January meeting. Dr. Linda Watson was recognized to review the process and steps taken by the district since the January meeting. Dr. Watson stated that the district staff met with ADE and worked through issues that were raised by the reviewers. She responded to a previous question as to why a charter school as the method of intervention for Cloverdale. Dr. Watson stated that the charter school would help with structure of the school and allow the district some support to address academic needs of this school.

Dr. Kimbrell reported that ADE leadership went through the proposed plan and suggested ways to make the presentation stronger and emphasized the strength of the Smart Accountability Process. He noted that re-staffing of the school will allow the school leadership to focus on teachers who are committed to improvement.

Dr. Watson stated that the district is not recommending a principal change at this time because there was a new principal last year and improvement was observed this past year. She believes with declaring the teaching positions vacant and allowing the principal to interview and hire with no more than 49% of the current faculty being allowed to return is a drastic and bold action on the part of the district.

Ms. Mahony asked about retaining Monica Norwood at the school. Dr. Watson responded that Ms. Norwood did return last fall, but was assigned to a different school in a new position after the first part of the school year. Ms. Mahony also asked about counseling positions. Dr. Watson responded that there were two full-time counselors at the school, which is greater than the required counselor/student ratio in the accreditation standards. Dr. Watson also noted other support staff such as mental health support.

Dr. Mays asked about the contract status of the teachers being vacated at Cloverdale. Dr. Watson stated that fair dismissal requires placement within the district unless there is documentation that meets dismissal criteria in the negotiations agreement.

Mr. Ledbetter observed that the Little Rock District has other middle schools in year six of school improvement. He asked about strategies that would help avoid this same issue at the other schools. Dr. Watson outlined strategies that are being implemented such as reading teachers and literacy coaches in the schools, a tutoring program for all students performing below proficient, and other interventions during and after the regular school day. Dr. Watson is banking on schools making progress and taking advantage of the safe harbor provision toward making AYP.

Gullett asked about any sanction for teachers being replaced from Cloverdale. Dr. Watson stated that each moved teacher would go with a professional growth plan that specifies the requirement that their students show growth.

Dr. Mays observed that when a school is approved as a charter school, there are additional dollars for student instruction at that school; he asked what are your plans for those funds. Dr. Watson responded that the new funds, \$450,000 over three years if approved as a competitive grant will be used for additional resources, materials, equipment and professional development.

Ms. Burrow moved approval of the conversion charter school for Cloverdale Middle School. Ms. Gullett seconded the motion. The motion was adopted unanimously on a roll-call vote.

Dr. Kimbrell asked Board members to bring calendars so that the Board and Staff can work on planning a work session or retreat.

Dr. Kimbrell also stated that on February 25 the Board was invited to meet with the Workforce Education Board and Dr. Gene Bottoms from the Southern Region Education Board (SREB) for planning a series of courses for high school students that are designed around real work problems that might be embedded into the high school curriculum. Ms. Mahony indicated an interest in participating.

The Chair declared the meeting adjourned.

The meeting adjourned at 12:00 noon.

These Minutes were recorded and reported by Dr. Charles D. Watson.

**ADE'S PROJECT MANAGEMENT TOOL EXECUTIVE SUMMARY
FEBRUARY 28, 2010**

This document summarizes the progress that ADE has made in complying with the provisions of the Implementation Plan during the month of February 2010.

IMPLEMENTATION PHASE ACTIVITY	PMT EXECUTIVE SUMMARY AS OF FEBRUARY 28, 2010
<i>I. Financial Obligation</i>	<p>As of January 31, 2010, State Foundation Funding payments paid for FY 09/10 totaled \$30,456,910 to LRSD, \$18,497,094 to NLRSD, and \$23,437,554 to PCSSD. The Magnet Operational Charge for FY 09/10 paid as of January 31, 2010, was \$8,188,935. The allotment for FY 09/10 was \$15,177,490. M-to-M incentive distributions for FY 09/10 as of January 31, 2010, were \$2,214,955 to LRSD, \$3,359,430 to NLRSD, and \$5,307,005 to PCSSD. In September 2009, General Finance made the last one-third payment to the Districts for their FY 08/09 transportation budget. As of September 30, 2009, transportation payments for FY 08/09 totaled \$4,236,159.97 to LRSD, \$1,300,628.11 to NLRSD, and \$3,482,736.87 to PCSSD. In September 2009, General Finance made the first one-third payment to the Districts for their FY 09/10 transportation budget. In January 2010, General Finance made the second one-third payment to the Districts for their FY 09/10 transportation budget. As of January 31, 2010, transportation payments for FY 09/10 totaled \$2,778,700 to LRSD, \$887,615.26 to NLRSD, and \$2,229,905.22 to PCSSD. In March 2009, a bid for 16 new Magnet and M-to-M buses was awarded to Central States Bus Sales. The buses for the LRSD include 8 - 65 passenger buses for \$65,599 each. The buses for the NLRSD include 2 - 65 passenger buses for \$65,599 each. The buses for the PCSSD include 6 - 65 passenger buses for \$65,599 each. In August 2009, 16 new Magnet and M-to-M buses were delivered to the districts in Pulaski County. Finance paid Central States Bus Sales \$1,049,584. In July 2009, Finance paid the Magnet Review Committee \$92,500. This was the total amount due for FY 09/10. In July 2009, Finance paid the Office of Desegregation Monitoring \$200,000. This was the total amount due for FY 09/10.</p>

IMPLEMENTATION PHASE ACTIVITY	PMT EXECUTIVE SUMMARY AS OF FEBRUARY 28, 2010
<i>II. Monitoring Compensatory Education</i>	On January 7, 2010, the ADE Implementation Phase Working Group met to review the Implementation Phase activities for the previous quarter. Mr. Willie Morris, ADE Lead Planner for Desegregation, updated the group on all relevant desegregation issues. Recent news articles about the desegregation case were discussed. One article talked about declining enrollments in the Little Rock School District and the Pulaski County Special School District (PCSSD). The PCSSD lost 275 students this year. Since state funding is based on average enrollment, the reduction in students could cost the PCSSD \$1.6 million if the number of students stays the same the rest of the year. Enrollment in public charter schools in Pulaski County is up this year by 718 students. Also discussed was the news that U.S. District Judge Brian Miller postponed the unitary status hearing date for the North Little Rock School District from January 11 to January 25. He postponed the unitary status hearing date for the PCSSD from January 25 to February 22. The Joshua Intervenors had requested delays in the hearings. The next Implementation Phase Working Group Meeting is scheduled for April 4, 2010 at 1:30 p.m. in room 201-A at the ADE.
<i>III. A Petition for Election for LRSD will be Supported Should a Millage be Required</i>	Ongoing. All court pleadings are monitored monthly.
<i>IV. Repeal Statutes and Regulations that Impede Desegregation</i>	In July 2007, the ADE sent letters to the school districts in Pulaski County asking if there were any new laws or regulations that may impede desegregation. The districts were asked to review laws passed during the 86 th Legislative Session, and any new ADE rules or regulations.
<i>V. Commitment to Principles</i>	On February 8, 2010, the Arkansas State Board of Education reviewed and approved the PMT and its executive summary for the month of January.

IMPLEMENTATION PHASE ACTIVITY	PMT EXECUTIVE SUMMARY AS OF FEBRUARY 28, 2010
<i>VI. Remediation</i>	<p>On January 22, 2010, ADE staff reviewed alternate portfolios for students with disabilities at Forrest Heights Middle School in the LRSD.</p> <p>The ADE conducted regional training for test coordinators for the Augmented Benchmark, SAT10 at Grades 1-2 and Grade 9, MAT8 at Kindergarten, Grade 11 Literacy, End-of-Course, Algebra II Exams, and ELDA. The superintendent, district test coordinator, principal, or a designee is required by regulation to attend an all-day training session. Training for spring test administration took place during the weeks of February 1 - 5, and 9 - 12, 2010.</p> <p>The Arkansas Department of Education (ADE) conducted a webinar on February 18, 2010, for Title III coordinators, English as a Second Language program coordinators, and test administration personnel to train for the spring 2010 administration of English Language Development Assessment (ELDA). The webinar took place from 9:00 a.m.-11:30 a.m. and covered ELDA test administration for grades K-12.</p> <p>On February 19, 2010, ADE staff reviewed grade 9 math alternate portfolios for students with disabilities at Little Rock Central High School.</p>
<i>VII. Test Validation</i>	On February 12, 2001, the ADE Director provided the State Board of Education with a special update on desegregation activities.
<i>VIII. In-Service Training</i>	The Tri-District Staff Development Committee used Compressed Interactive Video (CIV) on September 25, 2009 to provide information on Smart Accountability. CIV is the distance learning system used for continuing conversation with the Smart Accountability Specialty Support teams. During the three-hour session, issues with the implementation of Smart Accountability were covered, including professional development, assignments, interventions, technical assistance, the Smart Accountability meeting that will be held on September 30, and a question and answer session. The Arkansas Smart Accountability plan allows the state to better differentiate interventions and resources to schools to match school improvement research-based interventions that correlate to the academic reasons that led to a school's identification for improvement by No Child Left Behind.
<i>IX. Recruitment of Minority Teachers</i>	In January 2010, the ADE Office of Professional Licensure mailed a list of the fall 2009 minority teacher graduates from reporting colleges and universities to all the Pulaski County school districts.

IMPLEMENTATION PHASE ACTIVITY	PMT EXECUTIVE SUMMARY AS OF FEBRUARY 28, 2010						
<i>X. Financial Assistance to Minority Teacher Candidates</i>	Tara Smith of the Arkansas Department of Higher Education reported minority scholarships for Fiscal Year 2008-2009 on February 26, 2009. These included the State Teacher Assistance Resource (STAR) Program, the Minority Teacher Scholars (MTS) Program, and the Minority Masters Fellows (MMF) Program. The scholarship awards for STAR are as follows:						
	STAR	Male	Male	Female	Female	Total	Total
	Race	Count	Award	Count	Award	Count	Award
	White	47	171,000	258	1,018,627	305	1,189,627
	Black	3	6,000	28	121,500	31	127,500
	Hispanic			2	12,000	2	12,000
	Asian	1	6,000	2	9,000	3	15,000
	Other	2	6,000	4	15,000	6	21,000
	Totals	53	189,000	294	1,176,127	347	1,365,127
	The scholarship awards for MTS are as follows:						
	MTS	Male	Male	Female	Female	Total	Total
	Race	Count	Award	Count	Award	Count	Award
	Black	9	27,500	37	132,710	46	160,210
	Hispanic			10	27,500	10	27,500
	Asian	1	5,000	2	7,500	3	12,500
	Native Amer			1	5,000	1	5,000
	Totals	10	32,500	50	172,710	60	205,210
	The scholarship awards for MMF are as follows:						
	MMF	Male	Male	Female	Female	Total	Total
	Race	Count	Award	Count	Award	Count	Award
	Black	4	15,000	59	213,750	63	228,750
	Hispanic	1	3,750	1	1,250	2	5,000
	Asian			3	13,750	3	13,750
	Native Amer			3	5,000	3	5,000
	Other			1	6,250	1	6,250
	Totals	5	18,750	67	240,000	72	258,750

IMPLEMENTATION PHASE ACTIVITY	PMT EXECUTIVE SUMMARY AS OF FEBRUARY 28, 2010
<i>XI. Minority Recruitment of ADE Staff</i>	<p>The MRC met on January 25, 2010 at the ADE. In the past, reports were produced showing the racial percentages of ADE sections for their employees at grade 21 and above. Since the revision of the employee grade system was done by OPM, the new report uses grades C121 to C130. A report was presented at the meeting that showed ADE employees by race and section for the quarter ending December 31, 2009. After reviewing the report, it was determined that some of the staff should be placed in different sections due to the ADE reorganization. It was also decided that the number of employees in each section should be included along with the racial percentages. A new report will be handed out after the changes have been made.</p>
<i>XII. School Construction</i>	This goal is completed. No additional reporting is required.
<i>XIII. Assist PCSSD</i>	Goal completed as of June 1995.
<i>XIV. Scattered Site Housing</i>	This goal is completed. No additional reporting is required.
<i>XV. Standardized Test Selection to Determine Loan Forgiveness</i>	Goal completed as of March 2001.
<i>XVI. Monitor School Improvement Plans</i>	<p>On November 2, 2009, ADE staff met with Dr. Watson, Dennis Glasgow, Leon Adams, Lionel Ward and Jasmine Perry from the Little Rock School District regarding USDOE and ACSIP concerns at the ADE.</p> <p>On December 16, 2009, ADE staff met with Ken Kirspel, Superintendent of the NLRSD. Staff discussed the district's quarterly request for Title I funds, parental involvement plans, the ACSIP survey and changes needed to gain approval status.</p> <p>During December 17 and 18, 2009, ADE staff met with every elementary principal in the PCSSD and with facilitators to correct errors in ACSIP and write parental involvement plans. Meetings were held with the first 18 elementary principals on December 17 and with the remaining 6 on December 18. ADE staff had the same kind of meeting with the principal of Jacksonville Middle School on December 18.</p> <p>During October 2009 through January 2010, ACSIP supervisors at the ADE have been conducting desk audits of NLR and PCSSD School Improvement Plans. They have made suggestions of plan improvements to the districts and school administrative personnel. This consultation has taken place by phone, e-mail, or short face to face conversations and help sessions at schools and the district offices.</p>

IMPLEMENTATION PHASE ACTIVITY	PMT EXECUTIVE SUMMARY AS OF FEBRUARY 28, 2010
<i>XVII. Data Collection</i>	<p>On February 12, 2010, the Arkansas Department of Education released a revised report on grade inflation. The report, mandated by Act 2197 of 2005, compares the grades of public high school students taking Algebra I and Geometry during the 2008-2009 school year with their scores on the state's 2009 End of Course exams for those courses. High schools for which 20 percent or more of students made an A or B in the course but failed to score proficient or advanced on the corresponding End of Course exams are identified as having grade inflation. The report identified 52 high schools with 20 percent or more grade inflation.</p> <p>The 2009 Annual School Performance Report Card data was made available to School Administrators for viewing in January of 2010. Schools entered their school EGuide/ED.STATS username and password to login to the NORMES Website to see a private copy of their 2009 school performance report data.</p>
<i>XVIII. Work with the Parties and ODM to Develop Proposed Revisions to ADE's Monitoring and Reporting Obligations</i>	<p>On July 10, 2002, the ADE held a Desegregation Monitoring and Assistance Plan meeting for the three school districts in Pulaski County. Mr. Willie Morris, ADE Lead Planner for Desegregation, presented information on the No Child Left Behind Act of 2001. A letter from U.S. Secretary of Education, Rod Paige, was discussed. It stated that school districts that are subject to a desegregation plan are not exempt from the public school choice requirements. "If a desegregation plan forbids the school district from offering any transfer option, the school district should secure appropriate changes to the plan to permit compliance with the public school choice requirements". Schools in Arkansas have not yet been designated "Identified for Improvement". After a school has been "Identified for Improvement", it must make "adequate yearly progress". Schools that fail to meet the definition of "adequate yearly progress", for two consecutive years, must provide public school choice and supplemental education services. A court decision regarding the LRSD Unitary Status is expected soon. The LRSD and the NLRSD attended the meeting. The next meeting about the Desegregation Monitoring and Assistance Plan will be held in August, 2002, after school starts.</p>

NEWLY EMPLOYED FOR THE PERIOD OF February 1, 2010 – February 28, 2010

Maureen Harness – Public School Program Advisor, Grade C122, Division of Human Resources/Licensure, Teacher Quality, effective 02/08/10.

Devin Howington – Administrative Specialist II, Grade C109, Division of Learning Services, Smart Accountability Statewide System of Support, effective 02/22/10.

*Geraldine Mallette – Public School Program Advisor, Grade C122, Division of Learning Services, Federal Programs, effective 02/22/10.

*Tashunda Williams – Administrative Specialist III, Grade C112, Division Research Technology, Technology Resources, effective 02/22/10.

PROMOTIONS/ LATERAL TRANSFERS FOR THE PERIOD OF February 1, 2010 – February 28, 2010

*MaKeshia Edwards – from Fiscal Support Analyst, Grade C115, Arkansas Public School Computer Network, to Student Applications Specialist, Grade C116, Arkansas Public School Computer Network, effective 02/08/10.

Elbert Harvey – from Public School Program Advisor, Grade C122, Division of Learning Services, Standards Assurance, to Public School Program Coordinator, Grade C123, Division of Learning Services, Smart Accountability Statewide System of Support, effective 02/22/10.

*Arijit Sarkar – from Applications and Systems Analyst, Grade C121, Division of Research and Technology, Data Administration and Reporting, to Information Systems Business Analyst, Grade C122, Division of Research and Technology, Data Administration and Reporting, effective 02/08/10.

Kristi Wiggins – from ADE ERZ Technical Assistance Specialist, Grade C122, Division of Learning Services, Education Renewal Zone, to Scholastic Audit Public School Program Advisor, Grade C122, Division of Learning Services, Scholastic Audit, effective 02/08/10.

SEPARATIONS FOR THE PERIOD OF February 1, 2010 – February 28, 2010

No separations for this period.

*Minority

AASIS Code:

Waivers For Teachers Teaching Out of Area
March 2010

# of Waivers Requested									
LEA	District	Teacher	License Areas	ALP Code	Out of Area	Yrs ALP	Granted/ Denied		
35-20	Arkansas River Cooperative	1	Kuykendall, Sonya	Early Childhood Ed. P-4; MS English 5-8; SP ED Hearing P-4; SP Ed Hering 4-12	231	SP Education P-4	09-10 Denied		
04-01	Bentonville School District	1	Bodenstein, Nathan	Coaching 7-12 PE Wellness P-12	230	Sp Education Instructional Specialist 4-12	09-10 Granted		
30-01	Bismarck School District	2	Newsom, Shana	P-4 Early Childhood	231	Sp Ed Ech Inst Specialist P-4	09-10 Granted		
			Newsom, Shana	P-4 Early Childhood	231	SP Education P-4	09-10 Granted		
							07-08; 08-09; 09-10 Granted		
42-01	Booneville School District	1	Gordon, Patricia	Elem 1-6; Sp ED P-12	320	Special Ed Supervisor	09-10 Granted		
	Brownwood School	2	Burcham, Sharron	EC Education P-4	231	Special Education P-4	09-10 Granted		
			Burcham, Sharron	EC Education P-4	230	Special Education 4-12	09-10 Granted		
	Camden Fairview School								
52-04	Dist.	1	Buckley, Paula	P-04	231	Sp Ed Ech Inst Specialist P-4	09-10 Granted		
24-02	Charleston School District	1	Nichols, Bryan	Coaching; PE Wellness	167	7th/8th Social Studies	09-10 Granted		
	Chicot County Early Childhood	1	Sykes, Eva	Health Ed; Phy. Ed; M. Social Studies 5-8	231	Special Ed P4	09-10 Granted		
							08-09; 09-10 Granted		
36-01	Clarksville School District	1	Sinor, Harley	EC P-4; MS 4-8	231	Special Education P-4			
	Community School of Cleburne Co	1	McEven, Stephanie	MS Science/Math - grades 4-8; MS Language Arts	230	Sp Education Instructional Specialist 4-12	09-10 Granted		
56-20	Crowley's Ridge Coop	2	Dorsey, Laura	Early Childhood P-4	231	Sp Ed Ech Inst Specialist P-4	09-10 Granted		
			Young, Kimberly	Early Childhood P-4	231	Sp Ed Ech Inst Specialist P-4	08-09; 09-10 Granted		
31-02	Dierks School District	1	Harper, Caleb	Health/ Wellness	2	Middle School Social Studies	09-10 Granted		
			Champion, Kristen	Middle English, Maht, Social Studies	312	Building Administrator P-8			
72-03	Fayetteville School District	2	Champion, Kristen	Math, Language Arts, Applied Math I, II	313	Building Administrator 7-12	09-10 Granted		

Waivers For Teachers Teaching Out of Area
March 2010

LEA	District	# of Waivers Requested	Teacher	License Areas	ALP Code	Out of Area	Yrs ALP	Granted/ Denied
97-17 First Step, Inc.		3	Hale, Wendy	Elementary 1-6	231	EC Special Education	09-10	Granted
			Pennington, Andrea	Elementary 1-6	231	EC Special Education	09-10	Granted
			Ware, Alisa	Elementary 1-6	231	EC Special Education	09-10	Granted
41-02 Foreman School District		2		1-yr- Provisional EC P-4; MS CH Lang Arts/SS 4-8;MS CH				
			Rogers, Danna	Science/Math 4-8	203	Elementary	09-10	Granted
				1-yr- Provisional EC P-4; MS CH Lang Arts/SS 4-8;MS CH				
97-20 Friendship Community Care		1	Rogers, Danna	Science/Math 4-8	205	Music K-3	09-10	Granted
			Milam, Kimberly	B.S.E. P-4	231	Sp ED P-4	09-10	Granted
56-02 Harrisburg School District		1	Condra, Jamilyn	General Science, Life/Earth Science	230	Sp Education Instructional Specialist 4-12	09-10	Granted
59-03 Hazen School District		1	Carpenter, Lindsay	EC P-4		Sp Ed K-4		Denied
68-04 Highland School District		2		Reading 1-12;MSSocial Studies 5-8;Elem 1-6	295	Library Media Specialist	09-10	Granted
			Strobbe, Jocelyn					
			Strobbe, Jocelyn	Reading 1-12;MSSocial Studies 5-8;Elem 1-6	296	Library Media Specialist	09-10	Granted
51-02 Jasper School District		2		Provisional General Ed K-4	230	K-4 Special Ed	09-10	Granted
			Siddell, Sheila	Provisional General Ed K-4				
05-06 Lead Hill School District		1		P-8 bldg. Principal	231	4-12 Special Education	09-10	Granted
			Brown, Regina	MS Social Studies; Elem 1-6	311	District Administrator P-12	09-10	Granted
72-05 Lincoln School District		1	Thorman, Marsha		312	Bld Level P-8	09-10	Granted
30-04 Malvern School District		1	Gober, LaNeita	7-12 French & English	230	SC Special Education	09-10	Granted
18-04 Marion School District		2		ECE P-4, Grade 5/6		Sp Education Instructional Specialist 4-12		
			Farmer, Ashlee	Endorsement, Middle School English	230		09-10	Granted
			Harper, Bethel Kay	Business Education	411	Career Orientation Endorsement 7-12	09-10	Granted

Waivers For Teachers Teaching Out of Area
March 2010

LEA	District	# of Waivers Requested	Teacher	License Areas	ALP		Out of Area	Yrs Granted/ ALP Denied	
					Code			ALP	Denied
34-03	Newport School District	1	Howard, April	ECE P-4			Sp Education Instructional Specialist 4-12	09-10	Granted
47-13	Osceola School District	1	Shelton, Laura Jane	English Language Arts 7-12		108	Journalism 7-12	09-10	Granted
Ozark Guidance TDT		2	Gisler, William Aaron	PE/Wellness/ Leis P-12		230	Special Education	09-10	Granted
			Pelfrey, Wendy	EC P-4		231	Special Education	09-10	Granted
27-03	Poyen School District	1	Brown, Max	PE/Wellness/Coaching		168	Science/Mathematics 4-8	09-10	Granted
27-05	Sheridan School District	2	Hogg, Sarah Nelle	Elementary 1-6		321	Curr/Program Adm/Curr P-8	08-09, 09-10	Granted
			Hogg, Sarah Nelle	Elementary 1-6		322	Curr/Program Adm/Curr 7-12	08-09, 09-10	Granted
2220	Southeast Co-Op	2	Frisby, Bianca	Elementary K-6		231	Sp Ed Ech Inst Specialist P-4	07-08, 08-09, 01-10	Granted
			Griffin, Cathryn	Middle Level Education		231	Sp Ed Ech Inst Specialist P-4	09-10	Granted
52-06	Stephens School District	2	Simpson, Janice	Elementary Education K-6; Library Media K-12		108	Journalism 7-12	08-09 09-10	Granted
			Walls, Jamie	MS 4-8 Language Arts/Social Studies; Math; Science		166	English/ Language/ Arts 7-12	09-10	Granted
46-05	Texarkana School District	2	Wilson, Michelle	Early Childhood Education; MS Lang Arts/SS; MS Science/Math		305	Gifted & Talented P-8	09-10	Granted
			Wilson, Michelle	Early Childhood Education; MS Lang Arts/SS; MS Science/Math		306	Gifted & Talented 7-12	09-10	Granted
18-05	Turrell School District	1	Wilson, Sara	English/ Social Studies		230	Special Education	09-10	Granted

Waivers For Teachers Teaching Out of Area
March 2010

LEA	District	# of Waivers Requested		Teacher	License Areas		ALP Code	Out of Area	Yrs ALP Granted/ Denied	
36-06	Westside School District	1		Mars, Gina	Spanish, Social Studies, ESL		166	English/ Language/ Arts 7-12	08-09, 09-10	Granted
35-10	White Hall School District	2		Neal, Yvonne	Secondary PE		200	Mathematics 7-12	08-09, 09-10	Granted
				Moore, Elizabeth	English 7-12; Sp Ed 4-12		231	P-4	09-10	Granted
73-20	Wibur Mills Education Co_op	1		Terhune, Mandy	Early Child Ed		231	Early Childhood Special Ed	09-10	Denied
13-04	Woodlawn School District	1		Shaw, Randy	PE/Wellness ; Coaching		002	7th Geograhphy; 8th History	08-09; 09-10	Granted
	Yell County Special Services	1		Lopez, Elizabeth	BA ECED P-4		231	Special Ed General	09-10	Granted
# School Districts Requesting Waivers this 38 Month		54		# Waivers Requested this Month						
					Total Waivers Granted this Month					
					Total Waivers Denied this Month					
					Total Waivers Requested this Month					
					51					
					3					
					54					

**DEPARTMENT OF EDUCATION
GENERAL REVENUE FORECAST REVISION 1-11-10**

<u>PROGRAM</u>	<u>FY10 PROPOSED BUDGET 10-20-09</u>	<u>FY10 PROJECTED EXPENDITURES</u>	<u>FY10 PROJECTED BUDGET ADJUSTMENTS</u>
ACADEMIC IMPROVEMENT TRAINING	\$ 500,000	\$ 500,000	\$ -
ADDITIONAL PUBLIC SCH EMPLOYEE HEALTH INSURANCE	15,000,000	15,000,000	-
ADVANCED PLACEMENT INCENTIVE	825,000	825,000	-
ALTERNATIVE LEARNING	19,968,837	20,529,609	560,772
ALTERNATIVE PAY	2,500,000	-	(2,500,000)
ARK LEADERSHIP ACADEMY - MASTER PRINCIPAL	500,000	500,000	-
ARK PUBLIC SCHOOL COMPUTER NETWORK	24,873,328	21,524,196	(3,349,132)
ARK TEACHER HOUSING DEV FOUNDATION	100,000	100,000	-
ARKANSAS EASTER SEALS	193,113	193,113	-
ARKANSAS TEACHER OF THE YEAR	125,000	100,000	(25,000)
ASSESSMENT/END OF COURSE TESTING	23,887,747	19,787,747	(4,100,000)
AT RISK	5,118,030	5,118,030	-
BETTER CHANCE GRANTS	111,000,000	111,000,000	-
CERTIFIED SPEECH - LANGUAGE PATHOLOGIST	2,500,000	-	(2,500,000)
CONSOLIDATION INCENTIVE	5,210,100	1,395,233	(3,814,867)
CONTENT STANDARDS AND CURRICULUM FRAMEWORKS	50,000	50,000	-
CONTENT STANDARDS REVISION	161,000	161,000	-
COOP ED TECH CENTERS OPERATIONS	1,200,000	1,200,000	-
COORDINATED SCHOOL HEALTH	3,000,000	1,900,000	(1,100,000)
COURT ORDERED DESEGREGATION	69,814,372	69,814,372	-
CRIMINAL BACKGROUND CHECKS	50,000	5,000	(45,000)
DEBT SERVICE FUNDING SUPPLEMENT	28,455,384	28,455,384	-
DECLINING ENROLLMENT DISTRICTS	20,476,533	17,969,594	(2,506,939)
DEPT OF CORRECTION	5,447,675	5,447,675	-
DISTANCE LEARNING	500,000	400,000	(100,000)
DISTANCE LEARNING DEMONSTRATION PROJECT	6,000,000	5,950,000	(50,000)
DISTANCE LEARNING OPERATING GRANTS	10,331,400	10,131,400	(200,000)
DISTRESSED SCHOOL DISTRICT SUPPORT	450,000	50,000	(400,000)
EARLY CHILDHOOD SPECIAL EDUC	15,623,079	15,623,079	-
ECONOMIC EDUCATION	350,000	350,000	-
EDUC SERVICE COOPERATIVES	6,129,270	6,129,270	-
ENGLISH LANGUAGE LEARNERS	10,231,111	9,404,851	(826,260)
GENERAL FACILITIES FUNDING	8,100,000	8,100,000	-
GIFTED & TALENTED	1,451,354	1,451,354	-
GRANTS TO SCHOOL DISTRICTS	67,856	67,856	-
HIGH PRIORITY DISTRICT TEACHER RECRUIT/RET INCTV	2,100,000	2,100,000	-
HOME SCHOOL TESTING	250,000	250,000	-
HUMAN DEVELOPMENT CTR EDUC AID	526,150	526,150	-
INTENSIVE SCHOOL SUPPORT	320,000	-	(320,000)
INTERNATIONAL BACCALAUREATE PROGRAM	75,000	75,000	-
INTERVENTION BLOCK GRANTS	227,000	227,000	-
ISOLATED FUNDING	7,896,000	7,896,000	-
MASTER PRINCIPAL BONUS	90,000	75,000	(15,000)
NAT BD PROF TEACHING STANDARDS	7,475,840	7,275,840	(200,000)
NATIONAL SCHOOL LUNCH STUDENT FUNDING	161,866,532	161,457,328	(409,204)
NON - TRADITIONAL LICENSURE GRANTS	50,000	50,000	-
OFFICE OF EDUCATION RENEWAL ZONES	2,063,524	2,063,524	-
PROFESSIONAL DEVELOPMENT FUNDING	23,076,951	23,052,341	(24,610)
PUBLIC SCHOOL EMPLOYEES INSURANCE	37,273,600	37,273,600	-
PYGMALION COMMISSION	40,000	40,000	-
RES CENTERS/JUVENILE DET	15,188,254	15,188,254	-
SCHOOL FACILITY JOINT USE SUPPORT	1,000,000	400,000	(600,000)
SCHOOL FOOD - LEGISLATIVE AUDIT	75,000	75,000	-
SCHOOL FOOD SERVICES	1,650,000	1,650,000	-
SCHOOL WORKER DEFENSE	390,000	300,000	(90,000)
SERIOUS OFFENDER PROGRAM	1,050,946	911,145	(139,801)
SMART CORE INCENTIVE FUNDING PROGRAM	3,000,000	-	(3,000,000)
SMART START/SMART STEP	10,457,160	9,957,160	(500,000)
SPECIAL ED - CATASTROPHIC	11,000,000	11,000,000	-
SPECIAL EDUCATION SERVICES	4,145,285	4,145,285	-
SPECIAL NEEDS ISOLATED	3,000,000	3,000,000	-
STATE FOUNDATION FUNDING AID	1,782,297,537	1,788,637,581	6,340,044
STUDENT GROWTH	48,337,856	28,326,576	(20,011,280)
SUPPLEMENTAL MILLAGE INCENTIVE FUNDING	10,000,000	10,000,000	-
SURPLUS COMMODITIES	1,027,858	1,027,858	-
TEACHER LICENSURE / MENTORING	7,508,758	7,008,758	(500,000)
TEACHER RETIREMENT MATCHING	6,655,000	6,655,000	-
TECHNOLOGY GRANTS	3,602,678	3,602,678	-
TECHNOLOGY IMPROVEMENTS	1,000,000	1,000,000	-
TRAVELING TEACHERS	500,000	50,000	(450,000)
URT ACTUAL COLLECTION ADJUSTMENT	25,367,101	30,000,000	4,632,899
WORKERS COMPENSATION	450,000	450,000	-
YOUTH SHELTERS	165,000	165,000	-
ARKANSAS / STRIVE TRANSFER	200,000	200,000	-
REAL PROPERTY REAPPRAISAL COSTS TRANSFER	10,830,000	10,830,000	-
SURETY BOND TRANSFER	85,000	85,000	-
TOTAL PUBLIC SCHOOL FUND	\$ 2,592,504,219	\$ 2,556,260,841	\$ (36,243,378)

**DEPARTMENT OF EDUCATION
GENERAL REVENUE FORECAST REVISION 1-11-10**

<u>PROGRAM</u>	<u>FY10 PROPOSED BUDGET 10-20-09</u>	<u>FY10 PROJECTED EXPENDITURES</u>	<u>FY10 PROJECTED BUDGET ADJUSTMENTS</u>
PROJECTED FUNDING			
GENERAL REVENUE	\$ 1,820,548,593	\$ 1,776,775,546	(43,773,047)
EDUCATIONAL EXCELLENCE TRUST FUND	190,786,664	190,786,664	-
EDUCATIONAL ADEQUACY FUND	439,761,621	439,761,621	-
ERATE CREDIT	11,200,000	11,200,000	-
TRANSIT TAX 949 OF 2001	910,000	910,000	-
TANF TRANSFER FROM DHS/DWS AFTER 2009	7,500,000	10,191,000	2,691,000
TRANSFER FROM DEPT OF EDUC FUND - HEALTH INITVE.	3,180,000	3,180,000	-
TRANSFER FROM GEN REV ALLT RES - AT RISK	3,500,000	3,500,000	-
COURT ORDERED DESEGREGATION	69,814,372	69,814,372	-
FUND BALANCE (UNRESTRICTED)	45,302,969	50,141,638	4,838,669
TOTAL PROJECTED FUNDING	\$ 2,592,504,219	\$ 2,556,260,841	\$ (36,243,378)

BEFORE THE ARKANSAS STATE BOARD OF EDUCATION

IN THE MATTER OF THE ANNEXATION OF TURRELL SCHOOL DISTRICT OF CRITTENDEN COUNTY
INTO THE EARLE SCHOOL DISTRICT OF CRITTENDEN COUNTY:

PETITION FOR VOLUNTARY ANNEXATION

COMES NOW the Turrell School District of Crittenden County (Petitioner), acting by and through its respective Superintendent duly authorized pursuant to A. C. A. § 6-13-1401 et seq., and hereby petition the Arkansas State Board of Education (Board) to approve the voluntary annexation of the petitioning Turrell affected school district into the petitioning receiving Earle School District, and submit to the Board as follows:

1. Pursuant to A. C. A. § 6-13-1401 et seq., the Petitioners hereby submit and incorporate in this petition as Exhibit A attached hereto, proof of legally binding local board resolutions to annex the Turrell School District into the Earle School District as approved by a majority of the quorum present of the local boards of education of the respective Petitioners.
2. The Petitioners hereby submit and incorporate in this petition as Exhibit B attached hereto, proof of public notice of intent to petition this Board to annex the Petitioners into the receiving Earle School District. Said public notice of intent to annex was published in the local newspaper of general circulation of the affected districts for a period of no less than once a week for two (2) consecutive weeks immediately prior to the filing of this petition with this Board.

3. The Petitioners submit that at the proper election following the petitioned annexation, the receiving Earle School District shall elect local board members in compliance with A. C. A. § 6-13-1406.
4. The Petitioners submit that their respective school districts are geographically contiguous and that the Board should approve the petitioned annexation pursuant to Arkansas Code Annotated § 6-13-1403(f).
5. The Petitioners submit that they hereby request through the State Board, an Attorney General Opinion declaring whether the petitioned annexation will or will not hamper, delay or in any manner negatively affect the desegregation of another school district or districts in this state. Upon receipt, the resulting opinion shall be incorporated herein and attached hereto as Exhibit C.
6. Pursuant to A. C. A. § 6-13-1401 et seq., the Petitioners hereby submit and declare that the effective date of this petitioned annexation shall be July 1, and that there shall be only one local school board and one local superintendent of the receiving Earle School District.
7. The Petitioners hereby submit an affidavit of facts by the superintendent of the affected and receiving school district(s), which is incorporated as Exhibit D, concerning the relevant status of any federal court-ordered supervision or jurisdiction of desegregation cases involving the affected districts.

WHEREFORE, Petitioners request that the Board approve the annexation of the Turrell School District of Crittenden County into the receiving Earle School District of Crittenden County, that it issue an Order dissolving the affected Turrell School District and

establishing the resulting Earle-Turrell School District; that it issue an Order dissolving the affected school districts and establishing the resulting school districts; that it issue an Order establishing the boundary lines of the resulting school district; and that it file its Order with the County Clerks of Crittenden County, Arkansas.

Respectfully submitted,

Turrell School District
Crittenden County

By: Alfred Hagen 2/4/10
Superintendent Date
[Signature] 2/4/10
President, School Board Date

Earle School District
Crittenden County

By: [Signature] 2/4/10
Superintendent Date
[Signature] 2/4/10
President, School Board Date

SCHOOL BOARD RESOLUTION

COMES NOW: the Earle School District acting by and through its lawful authority and hereby determines at a special school board meeting held on Thursday, February 4, 2010, wherein a legal quorum was present and a majority of the quorum voted to approve the following resolutions and actions:

1. The Earle School Board of Directors hereby resolves and approves the annexation of the Turrell School District to the Earle School District effective July 1, 2010.
2. Mr. Jack Crumbley, Earle School Superintendent, is hereby duly authorized to petition the Arkansas State Board of Education to annex the Turrell School District to the Earle School District pursuant to Arkansas Code Annotated §6-13-1403.
3. Mr. Jack Crumbley, Superintendent is hereby duly authorized to publish public notice of the intent to petition the Arkansas State Board of Education for the annexation of the Turrell School District to the Earle School District pursuant to Arkansas Code Annotated §6-13-1403(b)(2).
4. The minutes of this meeting shall reflect this resolution that the annexation of the Turrell School District to the Earle School District effective July 1, 2010 pursuant to Arkansas Code Annotated §6-13-1401 et seq. is hereby approved.

Earle School District
Of Crittenden County, Arkansas

By: [Signature]
Superintendent

February 4, 2010

By: [Signature]
School Board President

February 4, 2010

RECEIVED
ATTORNEY'S OFFICE

FEB 10 2010

DEPARTMENT OF EDUCATION
GENERAL DIVISION

Public Notice

Pursuant to Arkansas Code Annotated 6-13-1403(b)(2) the Earle School District and the Turrell School District hereby provide lawful notice to the intent to file a petition with the Arkansas State Board of Education requesting approval to annex the Turrell School District into the Earle School District. On February 4, 2010, the Earle School Board of Directors and Turrell School Board of Directors met and approved resolutions granting the superintendent of each school district the necessary authority to petition the State Board of Education for annexation of the respective school districts. Said petition shall be filed with the State Board of Education at least thirty (30) days prior to the meeting when the petition will be presented for the consideration of the State Board of Education. Any written comments may be submitted to #4 Capitol Mall, Room 404-A, Little Rock, AR 72201.

AFFIDAVIT CONCERNING DESEGREGATION ORDERS

COMES NOW the Earle School District, acting by and through its Superintendent, and hereby states and represents to the State Board of Education that, to the best of my knowledge, the Earle School district (circle one) is (is not) involved in desegregation litigation in a United States Federal Court or is under the continuing jurisdiction of a United States Federal Court Order regarding desegregation of a public school or schools (see "*" at the bottom of affidavit).

Further the affiant sayeth not.

IN WITNESS WHEREOF, I hereunto set my hand this 5 day of

February

Superintendent

COUNTY of Crittenden
STATE OF ARKANSAS

Sworn and subscribed before me, Notary Public, this 5th day of
February, 2012

Nemi Matthews Sr.

Notary Public

My commission expires: 4/14/2012

**Nemi Matthews Sr., Notary Public
Crittenden County, Arkansas
My Commission Expires 4/14/2012**

*If you answered, "is involved in desegregation litigation, etc." above, please attach a copy of any applicable Court orders or other relevant documentation.

STATE OF ARKANSAS
COUNTY OF CRITTENDEN

I, Alexander P. Couler, do solemnly swear that I am publisher of the *Times*, a daily newspaper, published in the county and state aforesaid that I was so related to this publication at and during the publication of their annexed legal advertisement in the case of

Warning Order No. _____

Probate Notice No. _____

Commissioner's Sale No. _____

County Court Notice re. _____

pending in the (Circuit-Chancery-County) Court in said county; that the dates of the several publications of said advertisements are hereinafter stated, and that during said periods and said dates said newspaper was printed and published in said county and had a bona fide circulation therein for the period of one month before the date of the first publication of said advertisement; and that said advertisement was published in the regular issues of said newspaper for _____ consecutive times; publication thereof was made on the following dates:

1. 8 6. _____ 11. _____ 16. _____ 21. _____
2. 15 7. _____ 12. _____ 17. _____ 22. _____
3. _____ 8. _____ 13. _____ 18. _____ 23. _____
4. _____ 9. _____ 14. _____ 19. _____ 24. _____
5. _____ 10. _____ 15. _____ 20. _____ 25. _____

Publisher



DOROTHY WADE
CRITTENDEN COUNTY
My Commission Expires December 12, 2010
Subscribed and sworn to before me this 15th day

Dorothy Wade Notary Public
My Commission Expires 12-12-2010

Fee for Printing \$ 54.99

Public Notice

Pursuant to Arkansas Code Annotated 6-15-140(b)(2), the Turrell School District and the Early School District hereby provide notice to the interested community with the Arkansas State Board of Education regarding approval to annex the Turrell School District into the Early School District. On February 4, 2010, the Turrell School Board of Directors met and approved resolutions granting the superintendent of each school district the necessary authority to petition the State Board of Education for annexation of the respective school districts. Said petition shall be filed with the State Board of Education at least thirty (30) days prior to the meeting when the petition will be presented for the consideration of the State Board of Education. Any written comments may be submitted to M4 Capitol Mall, Room 404-A, Little Rock, AR 72201.

6, 15

Advertising Receipt

Evening Times
P.O. Box 459
West Memphis, AR 72303
Phone: 870-735-1010
Fax: 870-735-1020

A.H.

TURRELL SCHOOL DISTRICT/ LEGAL
P.O. BOX 369
TURRELL, AR 72384

Acct #: 01100557
Ad #: 00038620
Phone: (870)343-2537
Date: 02/05/2010
Salesperson: Ad taker: w/

Sort Line: Public Notice Pursuant to Ark Classification: 011

Description	Start	Stop	Ins.	Cost/Day	Total
01 Evening Times	02/08/2010	02/15/2010	2	27.46	54.92
02 Shopping Guide	02/16/2010	02/16/2010	1		0.00

Total: 54.92
Tax: 0.00
Net: 54.92
Prepaid: 0.00
Total Due 54.92

404X
72202

STATE OF ARKANSAS
COUNTY OF CRITTENDEN

I, Alexander P. Coulter, do solemnly swear that I am publisher of the Times, a daily newspaper, published in the county and state aforesaid that I was so related to this publication at and during the publication of their annexed legal advertisement in the case of

Warning Order No. _____
Probate Notice No. _____
Commissioner's Sale No. _____
County Court Notice re. _____

pending in the (Circuit-Chancery-County) Court in said county, that the dates of the several publications of said advertisements are hereinafter stated, and that during said periods and said dates said newspaper was printed and published in said county and had a bona fide circulation therein for the period of one month before the date of the first publication of said advertisement; and that said advertisement was published in the regular issues of said newspaper for 2 consecutive times; publication thereof was made on the following dates:

1. 8 6. _____ 11. _____ 16. _____ 21. _____
2. 15 7. _____ 12. _____ 17. _____ 22. _____
3. _____ 8. _____ 13. _____ 18. _____ 23. _____
4. _____ 9. _____ 14. _____ 19. _____ 24. _____
5. _____ 10. _____ 15. _____ 20. _____ 25. _____



Dorothy Watkins Publisher
My Commission Expires 12-12-2010 day
of January 20 10

Fee for Printing \$ 54.92

Public Notice

Passed in Arkansas Code Annotated, § 15-1403(b)(2), the Earle School District and the Turrell School District hereby provide legal notice to the public to file a petition with the Arkansas State Board of Education requesting approval to annex the Turrell School District into the Earle School District. On February 4, 2010, the Earle School Board of Directors and Turrell School Board of Directors met and approved resolutions granting the superintendent of each school district the necessary authority to petition the State Board of Education for annexation of the respective school districts. Said petition shall be filed with the State Board of Education at least thirty (30) days prior to the meeting where the petition will be presented for the consideration of the State Board of Education. Any written comments may be submitted to 44 Capitol Mall, Room 402-A, Little Rock, AR 72201.

8, 15

Advertising Receipt

Evening Times

P.O. Box 459

West Memphis, AR 72303

Phone: 870-735-1010

Fax: 870-735-1020

EARLE SCHOOL DISTRICT/ LEGAL A

P.O. BOX 637

EARLE , AR 72331

Acct #: 01100143

Ad #: 00038619

Phone: (870)792-8486

Date: 02/05/2010

Ad taker: wl

Salesperson:

Sort Line: Public Notice Pursuant to Ark

Classification: 011

Description	Start	Stop	Ins.	Cost/Day	Total
01 Evening Times	02/08/2010	02/15/2010	2	27.46	54.92
02 Shopping Guide	02/16/2010	02/16/2010	1		0.00

Total: 54.92

Tax: 0.00

Net: 54.92

Prepaid: 0.00

Total Due 54.92

6-13-1601. Definitions.

As used in this subchapter:

(1) "Administrative annexation" means the joining of an affected school district or a part of the school district with a receiving district;

(2) "Administrative consolidation" means the joining of two (2) or more school districts to create a new single school district with one (1) administrative unit and one (1) board of directors that is not required to close school facilities;

(3) "Affected district" means a school district that loses territory or students as a result of administrative annexation or administrative consolidation;

(4) (A) "Average daily membership" means the total number of days attended plus the total number of days absent by students in grades kindergarten through twelve (K-12) during the first three (3) quarters of each school year divided by the number of school days actually taught in the school district during that period of time rounded up to the nearest hundredth.

(B) Students who may be counted for average daily membership are:

(i) Students who reside within the boundaries of the school district and who are enrolled in a public school operated by the school district or a private school for special education students, with their attendance resulting from a written tuition agreement approved by the Department of Education;

(ii) Legally transferred students living outside the school district but attending a public school in the school district; and

(iii) Students who reside within the boundaries of the school district and who are enrolled in the Arkansas National Guard Youth Challenge Program, so long as the students are participants in the program;

(5) "Receiving district" means a school district or districts that receive territory or students, or both, from an affected district as a result of administrative annexation; and

(6) "Resulting district" means the new school district created from an affected district or districts as a result of administrative consolidation.

History. Acts 2003 (2nd Ex. Sess.), No. 60, § 3; 2005, No. 2151, § 21.

6-13-1602. Administrative consolidation list.

By February 1, 2004, and each January 1 thereafter, the Department of Education shall publish a consolidation list that includes all school districts with fewer than three hundred fifty (350) students according to the school district average daily membership in each of the two (2) school years immediately preceding the current school year.

History. Acts 2003 (2nd Ex. Sess.), No. 60, § 3; 2005, No. 2151, § 22.

6-13-1603. Administrative reorganization.

(a) (1) Any school district included in the Department of Education's consolidation list under § 6-13-1602 may voluntarily agree to administratively consolidate with or be annexed to another school district or districts in accordance with the requirements and limitations of this section.

(2) (A) Any school district on the consolidation list choosing to voluntarily administratively consolidate or annex shall submit a petition for approval to the State Board of Education by March 1 immediately following publication of the list and shall set forth the terms of the administrative consolidation or annexation agreement in the petition.

(B) If the petition is approved by the state board, the administrative consolidation or annexation shall be completed by May 1, to be effective July 1 immediately following the publication of the list required under § 6-13-1602.

(3) Any school district on the consolidation list that does not submit a petition under subdivision (a) (2)(A) of this section or that does not receive approval by the state board for a voluntary consolidation or annexation petition shall be administratively consolidated by the state board with or into one (1) or more school districts by May 1, to be effective July 1 immediately following the publication of the list required under § 6-13-1602.

(4) The state board shall promptly consider petitions or move on its own motion to administratively consolidate a school district on the consolidation list in order to enable the affected school districts to reasonably accomplish any resulting administrative consolidation or annexation by July 1 immediately following the publication of the list required under § 6-13-1602.

(5) The state board shall not deny the petition for voluntary administrative consolidation or annexation of any two (2) or more school districts unless:

(A) The provisions contained in the articles of administrative consolidation or annexation would violate state or federal law; or

(B) The voluntary consolidation or annexation would not contribute to the betterment of the education of students in the school district.

(b) Any school district required to be administratively consolidated under this subchapter shall be administratively consolidated in such a manner as to create a resulting district with an average daily membership meeting or exceeding three hundred fifty (350).

(c) All administrative consolidations or annexations under this section shall be accomplished so as not to create a school district that hampers, delays, or in any manner negatively affects the desegregation of another school district in this state.

(d) In the administratively consolidated or annexed school districts created under this subchapter, the ad valorem tax rate shall be determined as set forth under § 6-13-1409.

(e) Nothing in this section shall be construed to require the closing of any school or school facility.

(f) No administratively consolidated or annexed school district shall have more than one (1) superintendent.

(g) Any school district not designated as being in academic or fiscal distress for the current school year and previous two (2) school years that administratively receives by consolidation or annexation a school district designated by the state board as being in academic or fiscal distress at the time of consolidation or annexation shall not be subject to academic or fiscal distress sanctions for a period of three (3) years from the effective date of consolidation unless:

(1) The school district fails to meet minimum teacher salary requirements; or

(2) The school district fails to comply with the Standards for Accreditation of Arkansas Public Schools and School Districts issued by the department.

(h) Noncontiguous school districts may voluntarily consolidate if the facilities and physical plant of each school district:

(1) Are within the same county, and the state board approves the administrative consolidation; or

(2) Are not within the same county, and the state board approves the administrative consolidation or administrative annexation and finds that:

(A) The administrative consolidation or administrative annexation will result in the overall improvement in the educational benefit to students in all of the school districts involved; or

(B) The administrative consolidation or administrative annexation will provide a significant advantage in transportation costs or service to all of the school districts involved.

(i) Contiguous school districts may administratively consolidate even if they are not in the same county.

(j) The state board shall promulgate rules to facilitate the administration of this subchapter.

(k) The provisions of § ~~6-13-1406~~ shall govern the board of directors of each resulting or receiving school district created under this subchapter.

History. Acts 2003 (2nd Ex. Sess.), No. 60, § 3; 2005, No. 1397, § 1; 2005, No. 1962, § 9; 2005, No. 2151, § 23.

**ARKANSAS DEPARTMENT OF EDUCATION
RULES GOVERNING ADMINISTRATIVE CONSOLIDATION OR
ANNEXATION OF PUBLIC SCHOOL DISTRICTS
AND BOARDS OF DIRECTORS OF LOCAL SCHOOL DISTRICTS**
Draft December 2005

1.00 PURPOSE

- 1.01 These rules shall be known as the Arkansas Department of Education Rules Governing the Administrative Consolidation and Annexation of Public School Districts.

2.00 AUTHORITY

The State Board of Education's authority for promulgation of these rules is pursuant to Ark. Code Ann. § 6-11-105, Ark. Code Ann. §§ 6-13-1601 et seq., 25-15-204 and Act 2151 of 2005.

3.00 DEFINITIONS

- 3.01 "Administrative annexation" means the joining of an affected school district or a part of the school district with a receiving district.
- 3.02 "Administrative consolidation" means the joining of two (2) or more school districts to create a new single school district with one (1) administrative unit and one (1) board of directors that is not required to close school facilities.
- 3.03 "Affected district" means a school district that loses territory or students as a result of administrative annexation or consolidation.
- 3.04 "Average daily membership" (ADM) means the total number of days attended plus the total number of days absent by students in grades kindergarten through twelve (K-12) during the first three (3) quarters of each school year divided by the number of school days actually taught in the district during that period of time rounded up to the nearest one hundredth. Students who may be counted for average daily membership are: (i) students who reside within the boundaries of the school district and who are enrolled in a public school operated by the district or a private school for special education students, with their attendance resulting from a written tuition agreement approved by the Department of Education; (ii) legally transferred students living outside the district but attending a public school in the district; and (iii) students who reside within the boundaries of the school district and who are enrolled in the Arkansas National Guard Youth Challenge Program, so long as the students are participants in the program.

- 3.05 "Isolated school" means a school within a school district that prior to administrative consolidation or annexation qualified as an isolated school district under A.C.A. § 6-20-601 and is subject to administrative consolidation or annexation.
- 3.06 "Petition for voluntary administrative annexation" means the official forms and documents published by the Department and hereby attached and incorporated into these rules as Attachment A, which are the official forms and documents necessary for school districts to properly petition the State Board for administrative annexation of a school district or districts into a receiving school district.
- 3.07 "Petition for voluntary administrative consolidation" means the official forms and documents published by the Department and hereby attached and incorporated into these rules as Attachment B, which are the official forms and documents necessary for school districts to properly petition the State Board for administrative consolidation of a school district or districts into a resulting school district.
- 3.08 "Receiving district" means a school district or districts that receive territory or students, or both, from an affected district as a result of administrative annexation.
- 3.09 "Resulting district" means the new school district created from an affected district or districts as a result of administrative consolidation.
- 4.00 PROCEDURES OF THE STATE BOARD OF EDUCATION CONCERNING VOLUNTARY ADMINISTRATIVE CONSOLIDATION OR ANNEXATION UNDER ACT 60 (SECOND EXTRAORDINARY SESSION OF 2003)
- 4.01 By January 1 of each year, the ADE shall publish a consolidation list that includes all school districts with fewer than three hundred fifty (350) students according to the district's average daily membership in each of the two (2) school years immediately preceding the current school year.
- 4.02 Any school district submitting a Petition for Voluntary Administrative Consolidation or Annexation pursuant to Act 60 may submit a single petition for State Board consideration. A school district's Petition for Voluntary Administrative Consolidation or Annexation (Petition), including all required attachments, **MUST** be received in the Office of the Commissioner, Department of Education, #4 Capitol Mall, Little Rock, AR 72201, **NO LATER THAN 4:30 p.m.** on March 1, of the year of petition. Petitions **MUST** be submitted on the proper official Department of Education petition form and attached documents hereby incorporated into these rules as Attachments A and B respectively. A school district may attach additional information to the petition form, if necessary, to

fully present its information. If mailed, the petition and all required attachments must be sent by certified mail, return receipt requested. PETITIONS RECEIVED AFTER 4:30 P.M. ON MARCH 1, OF THE YEAR OF PETITION, SHALL NOT BE CONSIDERED BY THE STATE BOARD REGARDLESS OF DATE MAILED.

- 4.03 While there is no provision in Act 60 that notice be published, the petitioning school districts are strongly encouraged to publish their intent to petition the State Board to consolidate or annex into a resulting or receiving school district by running said publication in a local newspaper of general circulation once a week for two (2) consecutive weeks. The petitioning parties may publish their intention to petition the State Board in a statewide newspaper of daily circulation, if the local newspaper does not publish on a daily or weekly basis.
- 4.04 The State Board may consider the petition at either a regular or special board meeting. All petitions for administrative consolidation or annexation timely filed with the State Board shall be heard by the State Board at either a regularly scheduled or specially called meeting after March 1, of the year of petition, with appropriate notice to all parties.
- 4.05 The State Board shall give at least five (5) calendar days advance written notice from the date of receipt to a petitioning school district of the date, time and place of the State Board meeting at which its petition will be considered. Notice may be provided via U.S. mail, facsimile or ADE electronic Commissioner's Memo.
- 4.06 At the hearing before the State Board, the order of presentation shall be as follows:
 - A) Remarks by petitioning school districts' spokesperson(s);
 - B) Remarks by opposing school districts and citizens' groups' spokesperson(s);
 - C) Closing remarks by opposing school districts and citizen's groups' spokesperson(s); and
 - D) Closing remarks by petitioning school districts' spokesperson(s).
- 4.07 Each petitioning school district shall have twenty (20) minutes to present the district's remarks. The district may allocate its time to one (1) or more spokespersons, but the total time allocated should not exceed twenty (20) minutes. In its sole discretion, the State Board may allow a district's spokesperson(s) more than twenty (20) minutes to speak.
- 4.08 Any school district or group of citizens, which opposes a petition, shall have the opportunity to present its opposition to the State Board. The State Board may, on its own motion, choose to hear from more than one

(1) spokesperson per opposing school district or group of citizens. However, the spokesperson(s) representing the opposing school district(s) or group of citizens shall have a total time allocated not to exceed twenty (20) minutes. In its sole discretion, the State Board may allow the spokesperson(s) more than twenty (20) minutes to speak.

- 4.09 Both the district and the opposition shall be given ten (10) minutes to present closing remarks to the State Board, allocated among one (1) or more spokesperson(s) as each side sees fit.
- 4.010 Time taken by a spokesperson to respond to a question by a State Board member shall not count against the respective side's time allotment.
- 4.11 Any documents to be considered by the State Board shall be submitted via first class mail to the Commissioner's Office at least three (3) business days prior to the State Board hearing of the petition for administrative consolidation or annexation.
- 4.12 The State Board shall issue a written decision approving the administrative consolidations or annexations requested in the petitions, if the petitions are granted. If the State Board denies a petition, it shall issue a written decision stating the reasons for such denial.
- 4.13 The State Board's written decision shall be made on or before May 1, of the year of petition.
- 4.14 Under no circumstances shall the State Board be obligated to grant a petition where to do so would hamper, delay, or in any manner negatively affect the desegregation efforts of any school district or districts in the state including school districts which are not petitioners for the administrative consolidation or annexation before the State Board.
- 4.15 If the State Board denies a school district's petition or does not receive a petition from a school district on the consolidation list, then the State Board shall, on its own motion, administratively consolidate all of the school district with or into one (1) or more other school districts by May 1, of the year of petition.
- 4.16 For administrative consolidations considered under the provisions of Section 4.15, the notice requirements placed upon the State Board by Section 4.05 shall not apply. Instead, the State Board shall provide such advance notice to the districts of the State Board's meeting at which the administrative consolidation will be considered as is practicable and required by law.

5.00 STATE BOARD OF EDUCATION ACTION ON PETITIONS FOR
ADMINISTRATIVE CONSOLIDATION OR ANNEXATION

5.01 Except as otherwise provided for in these rules or law and in addition to any other requirements herein, the State Board shall not deny a petition for voluntary administrative consolidation or annexation of any two (2) or more school districts unless:

- (A) The provisions contained in the articles of administrative consolidation or annexation would violate state or federal law; or
- (B) The voluntary administrative consolidation or annexation would not contribute to the betterment of the education of students in the districts; or
- (C) The proposed consolidation or annexation does not result in a resulting or receiving school district with an average daily membership meeting or exceeding three hundred fifty (350) based upon the prior year third (3rd) quarter average daily membership.

In making a determination under (B) of Section 5.01, certain considerations will be taken into account by the State Board. The State Board will consider the extent to which the respective districts are or have been in compliance with certain provisions of Arkansas law or State Board rules, including academic and fiscal distress, Standards for Accreditation, and Arkansas teacher salary schedules.

For those resulting or receiving districts in compliance with Section 5.01 (C), the projected ADM of the proposed resulting or receiving district shall not be a factor in making the determination to approve or deny the petition for administrative consolidation or annexation.

If the State Board, after consideration of the petition and the evidence produced at the hearing, shall determine that significant reason(s) exist why the proposed administrative consolidation or annexation would not contribute to the betterment of the education of the students in the districts, it may deny the petition and shall state its specific findings in the order entered in the proceedings.

5.02 Prior to the entry of any order approving a petition for administrative consolidation or annexation, the State Board shall seek an advisory opinion from the Attorney General concerning the impact of the proposed annexation or consolidation on the effort of the state to assist a district or districts in desegregation of the public schools of this state.

5.03 In addition to all other requirements in these rules, the State Board shall not approve any petition nor order any annexation or consolidation of school districts when the effect of such annexation or consolidation

hampers, delays, or in any manner negatively affects the desegregation efforts of a school district or districts in this state.

- 5.04 In addition to the standards set forth in Section 5.01 of these rules, noncontiguous school districts may voluntarily consolidate if:

- (A)(1) The facilities and physical plant of each school district are within the same county, and
- (2) The State Board approves the administrative consolidation, or
- (B) (1) The facilities and physical plant of each school district are not within the same county, and
- (2) The State Board approves the administrative consolidation or annexation and finds that:
 - (i) (i) The consolidation or annexation will result in the overall improvement in the educational benefit to students in all of the school districts involved, or
 - (ii) (ii) The consolidation or annexation will provide a significant advantage in transportation costs or service to all of the school districts involved.

- 5.05 If the resulting district in an administrative consolidation fails to establish an interim school board by May 31 of the year of petition, the State Board shall appoint an interim board to serve until the next elected school board assumes office, in the following manner:

- (A) The interim board shall be made up of seven (7) board members;
- (B) The interim board shall be made up of board members from the boards of directors of the affected school districts;
- (C) The proportion of board members from each of the affected school districts shall be equal to the proportion of the student population in the resulting school district that came from each affected school district, with no less than one (1) board member being selected from the board of each affected school district;
- (D) Unless provided otherwise by the State Board, the board membership of each interim resulting school district under Section 5.05 shall be selected first of the board presidents; second, board secretaries; and third, any other remaining current local board members selected by the State Board;
- (E) The interim board shall have no authority to govern the resulting consolidated school district until the July 1 effective date of the consolidation; and
- (F) The interim board shall serve until the new school board directors have been sworn in and commissioned after the September school board election immediately following the effective date of the consolidation unless the resulting district opts to follow the procedures set forth in Section 2 of Act 274 of 2005.

- 5.06 If the resulting district in an administrative consolidation voluntarily agrees to establish an interim school board by May 31, of the year of petition, the board shall be selected as follows:
- (A) The board of directors of the affected districts may by agreement establish an interim board of directors of the resulting district composed of not fewer than five (5) nor more than seven (7) directors;
 - (B) The proportion of board members from each of the affected school districts shall be equal to the proportion of the student population in the resulting school district that came from each affected school district, with no less than one (1) board member being selected from the board of each affected school district;
 - (C) The board of each affected school district shall select the board members that it wishes to have placed on the interim board of the resulting district. If the affected district is unable to select membership by a majority vote of the local board, the affected district(s) may select members to the interim resulting board by drawing lots.
 - (D) The interim board shall have no authority to govern the resulting consolidated school district until the July 1 effective date of the consolidation; and
 - (E) The interim board shall serve until the new school board directors have been sworn in and commissioned after the September school board election immediately following the effective date of the consolidation unless the resulting district opts to follow the procedures set forth in Section 2 of Act 274 of 2005.
- 5.07 If a school district fails to petition the State Board for administrative consolidation or annexation as required by A.C.A. § 6-13-1603(a)(2)(A) or the State Board denies a petition for administrative consolidation or annexation, the State Board shall, on its own motion, administratively consolidate a school district with or into any one (1) or more school districts in Arkansas by May 1, and the administrative consolidation shall be effective the July 1 immediately following the publication of the list required under A.C.A. § 6-13-1602.
- 5.08 The State Board shall promptly consider petitions or move on its own motion to administratively consolidate a school district on the consolidation list in order to enable the affected school districts to reasonably accomplish any resulting administrative consolidation or annexation by July 1 immediately following the publication of the list required under A.C.A. § 6-13-1602.

- 5.09 Upon approving a petition for administrative consolidation or annexation or acting on its own motion to administratively consolidate school districts, the State Board shall prepare a written order of administrative consolidation or annexation and file such order with the county clerk's office of each county clerk in the counties where the resulting or receiving school district is located.
- 5.10 The State Board shall not order the closing of any isolated school facility as a result of an administrative consolidation or annexation of an isolated school except as allowed by law.
- 5.11 The board of directors of any receiving school district created after an administrative annexation (whether interim or permanent) shall be in compliance with A.C.A. § 6-13-1406 and Act 274 of the Arkansas 85th General Assembly.

6.00 GENERAL PROVISIONS GOVERNING ADMINISTRATIVE
CONSOLIDATIONS OR ANNEXATIONS

- 6.01 All administrative consolidations or annexations shall be accomplished so as not to create a school district that hampers, delays, or in any manner negatively affects the desegregation of another school district in this state.
- 6.02 The millage rate of the electors of the affected districts of an administrative consolidation or annexation shall remain the same until an election may be held to change the rate of taxation for the resulting or receiving district.
- 6.03 No administrative consolidation or annexation shall be construed to require the closing of any school or school facility except as allowed by law.
- 6.04 All resulting or receiving school districts created from an administrative consolidation or annexation shall have no more than one (1) superintendent and no more than one (1) local school board.
- 6.05 Any school district not designated as being in academic or fiscal distress for the current school year and previous two (2) school years that administratively receives by consolidation or annexation a school district classified by the State Board as being in academic or fiscal distress at the time of the consolidation or annexation shall not be subject to academic or fiscal distress sanctions for a period of three (3) years from the July 1 effective date of consolidation unless:
 - (A) The school district fails to meet minimum teacher salary requirements set forth in law and rules; or

- (B) The school district fails to comply with the Standards for Accreditation of Arkansas Public Schools issued by the Department of Education.

- 6.06 The provisions of A.C.A. § 6-13-1406, Act 25 of the Second Extraordinary Session 2003 and Act 2151 of 2005 shall govern the board of directors of each resulting or receiving school district created from an administrative consolidation or annexation.

7.00 ISOLATED SCHOOLS

- 7.01 Prior to July 1, 2004, and each July 1 thereafter, the Department shall determine which schools meet the definition of "isolated schools" based upon the verified information submitted in the district's petition for administrative consolidation or annexation or based upon relevant data submitted to the Department pursuant to A.C.A. § 6-20-601 and 602.
- 7.02 Any isolated school within a resulting or receiving school district shall remain open except as allowed by law.
- 7.03 Funding for isolated schools shall be expended by the resulting or receiving district only on the operation, maintenance, and other expenses of the isolated schools within the resulting or receiving school district.

8.0 BOARDS OF DIRECTORS OF LOCAL SCHOOL DISTRICTS

- 8.01 All boards of directors of local school districts shall be made up of five (5), seven (7) or nine (9) members as allowed by law, unless the school district is under a valid court order otherwise directing the number and composition of the local board.
- 8.02 No board of directors shall have an even number of directors whether or not the number of directors of a school district's board of directors was established by an agreement between or among the former school districts, which comprise the school district incident to a consolidation or annexation of the former school districts.
- 8.03 No less than ninety (90) days prior to the 2005 annual school election, any school district with an even number of directors shall file a petition with the State Board of Education to establish the requisite odd number of directors.
- 8.04 If the number of board members needs to be reduced to create a required odd number of directors and the members cannot agree on the method of reduction, the board of directors in office as of August 12, 2005, shall draw lots to determine which board positions will be eliminated.

- 8.05 Any change in the number of directors serving on the local school district board of directors required by Arkansas law and these Rules shall be effective upon the directors' taking office following the 2005 annual school election.
- 8.06 Except as otherwise provided by law, any school district which elects its school board members from single-member zones shall be subject to the requirements of these Rules.



ARKANSAS DEPARTMENT OF EDUCATION

Dr. Tom W. Kimbrell
Commissioner

February 24, 2010

**State Board
of Education**

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Alfred Hogan
Superintendent
Turrell School District
P. O. Box 369
Turrell, AR 72384

Rickey Nicks
Interim Superintendent
Earle School District
P. O. Box 637
Earle, AR 72331

Re: Petition for Voluntary Administrative Annexation of the Turrell School District
into the Earle School District

Dear Mr. Hogan and Mr. Nicks:

This letter is to notify you that the State Board of Education (Board) will hold a hearing on the Petition for the Voluntary Administrative Annexation of the Turrell School District into the Earle School District on Monday, March 8, 2010, at 9:00 a.m. in the Auditorium of the Arch Ford Education Building, Four Capitol Mall, Little Rock, Arkansas.

As representatives of the Earle and Turrell School Districts, you, along with any School Board members or other representatives of your districts, are requested to attend the hearing to address any questions of the State Board.

Should you have any questions or comments, please contact my office at 501-682-4227.

Sincerely,

Jeremy C. Lasiter
General Counsel

cc: Dr. Tom Kimbrell, Commissioner of Education
State Board Office
Rep. Tommy Baker
Rep. Jerry Brown
Rep. Otis Davis
Rep. Buddy Lovell
Senator Steve Bryles
Senator Jim Luker

Four Capitol Mall
Little Rock, AR
72201-1019
(501) 682-4475
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ARKANSAS DEPARTMENT OF EDUCATION

Dr. Tom W. Kimbrell
Commissioner

February 24, 2010

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200 Manor Street
Marion, AR 72364

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Hughes School District
P. O. Box 9
Hughes, AR 72348

Dr. Benjamin Perry, Superintendent
Wynne School District
P. O. Box 69
Wynne, AR 72396

Annesa Thompson, Superintendent
Marked Tree School District
406 Saint Francis St.
Marked Tree, AR 72365

Gary Masters, Superintendent
So. Mississippi County School District
22 Jefferson
Wilson, AR 72395

Re: Petition for Voluntary Administrative Annexation of the Turrell School District
into the Earle School District

Dear Superintendents:

This letter is to notify you that the State Board of Education (Board) will hold a hearing on the petition of the Turrell School District to be annexed into the receiving Earle School District on Monday, March 8, 2010, at 9:00 a.m. in the Auditorium of the Arch Ford Education Building, Four Capitol Mall, Little Rock, Arkansas.

As representatives of school districts that are contiguous to the Turrell and Earle Districts, you are invited and encouraged to attend the hearing to address any possible questions of the State Board.

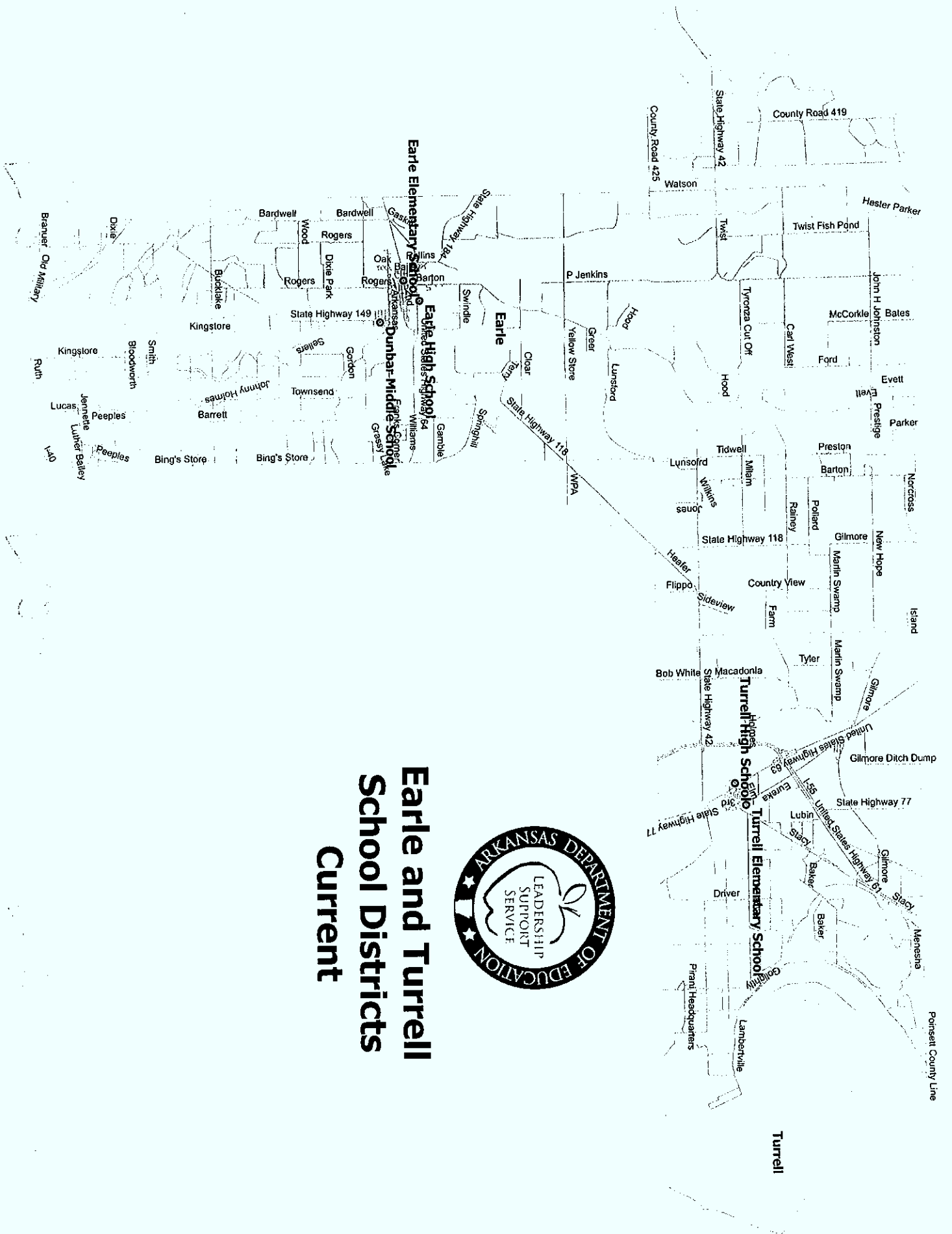
Should you have any questions or comments, please contact my office at 501-682-4227.

Sincerely,

Jeremy C. Lasiter
General Counsel

cc: Dr. Tom Kimbrell, Commissioner of Education
State Board Office

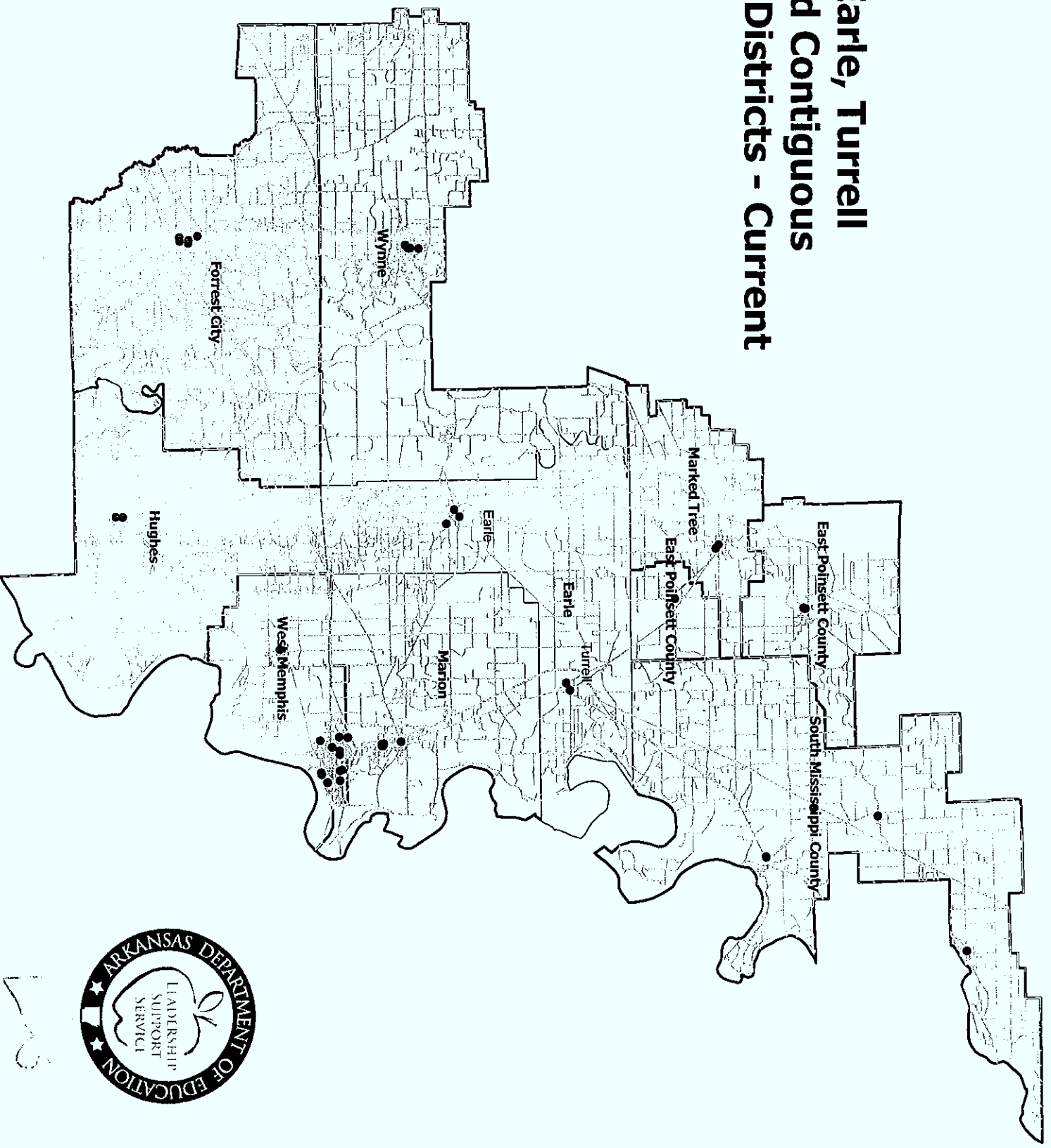
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Earle and Turrell School Districts Current



Earle, Turrell and Contiguous School Districts - Current



12

LEA	DISTRICT	COUNTY	DATED	TYPE	PURPOSE	RATE	CURRENT BALANCE OF ISSUE	MATURITY	TOTAL 09 10 PAYMENT	TOTAL 10 11 PAYMENT	TOTAL 11 12 PAYMENT	TOTAL 12 13 PAYMENT	TOTAL 13 14 PAYMENT
18-02	Earle	Crittenden	11/01/2003	Commercial Bond	Voted Construction Refunding	3.1% - 4.9%	3,860,000.00	May 2028	291,412.50	287,227.50	287,907.50	293,287.50	293,187.50
18-02	Earle	Crittenden	11/01/2004	Commercial Bond	Voted Construction	3.50% - 4.80%	2,090,000.00	May 2034	111,405.00	115,880.00	115,180.00	114,480.00	113,720.00
18-02	Earle	Crittenden	10/01/2008	Commercial Bond	Voted Construction Refunding	3.80% - 5.35%	1,350,000.00	Feb 2034	92,116.67	94,087.50	93,137.50	87,187.50	86,427.50
18-03	Earle	Crittenden	06/17/2003	Postdated Warrant	Repair & Renovation - QZAB	0.00%	146,329.10	Jun 2013	13,449.16	13,449.16	13,449.16	13,449.16	0.00
18-04	Earle	Crittenden	10/10/2007	Lease Purchase	Construction, repair and renova	5.850%	410,669.90	Jan 2017	63,113.04	63,113.04	63,113.04	63,113.04	63,113.04
18-04	Earle	Crittenden	12/29/2009	Lease Purchase	School Buses, equipment, const	5.50%	300,000.00	Dec 2019	19,701.52	39,403.04	39,403.04	39,403.04	39,403.04
Totals							8,156,999.00		591,197.89	613,160.24	612,190.24	610,920.24	595,851.08

LEA	DISTRICT	COUNTY	DATED	TYPE	PURPOSE	RATE	CURRENT BALANCE OF ISSUE	MATURITY	TOTAL 09 10 PAYMENT	TOTAL 10 11 PAYMENT	TOTAL 11 12 PAYMENT	TOTAL 12 13 PAYMENT	TOTAL 13 14 PAYMENT
18-05	Turrell	Crittenden	06/18/2002	Commercial Bond	Voted Construction - QZAB	0.00%	235,000.00	Jun 2015	16,711.30	16,711.30	16,711.30	16,711.30	16,711.30
18-05	Turrell	Crittenden	03/01/2009	Commercial Bond	Refunding	2.25%-4.30%	2,885,000.00	Jun 2033	169,712.50	171,982.50	170,520.00	169,057.50	177,432.50
18-05	Turrell	Crittenden	09/16/2002	Lease Purchase	Equipment	5.24%	10,301.47	Sep 2012	3,800.00	3,800.00	3,800.00	3,800.00	0.00
18-05	Turrell	Crittenden	02/23/2005	Revolving Loan	Construction	4.95%	50,555.00	Nov 2014	12,865.77	12,365.28	11,868.90	11,364.29	10,863.80
Totals							3,180,856.47		203,089.57	204,859.08	202,900.20	200,933.09	205,007.60

Funding calculations provided are estimates and are subject to change. Not all funding categories are listed.

Estimated Incentive Funding - FY10 per student amount

LEA NO.	County	School District	FY09 3-Qtr ADM	First Year FY10	Second Year FY11
1802	CRITTENDEN	EARLE	778.41	\$5,905.00	1st yr x .50
1805	CRITTENDEN	TURRELL	338.93	1,771,500.00	885,750.00
Totals			1,117.34	1,771,500.00	885,750.00
Total years one and two				2,657,250.00	

FY11 per student amount	First Year FY11	Second Year FY12
	\$5,023.00	1st yr x .50
	0.00	0.00
	1,806,900.00	903,450.00
	1,806,900.00	903,450.00
	2,710,350.00	

LEA NO.	County	School District	2008 Assessment	FY09 3-Qtr ADM as of 7/28/09	5 Yr Avg Misc at URT FY04 to FY08	URT at 98% collection rate	URT at 98% plus 5 yr Avg Misc	Local Revenue per ADM	Foundation Funding per ADM State	SWI
1802	CRITTENDEN	EARLE	24,882.333	778.41	2,623.85	609,617.16	612,241.01	786.53	5,118.47	0.84634
1805	CRITTENDEN	TURRELL	14,580.465	338.93	3,084.38	357,221.39	360,285.77	1,083.01	4,841.99	0.78046
Total after consolidation/annexation			39,462.798	1,117.34	5,688.23	966,838.55	972,526.78	870.39	5,034.61	0.82712

*Professional development rate not rounded.

LEA NO.	County	School District	5,905.00	35.00	41.32	FY10 FY10	FY10 FY10	FY10 FY10
1802	CRITTENDEN	EARLE	3,984,270.04	27,244.35	32,167.75	12,166.20	35,952.74	5,071.47
1805	CRITTENDEN	TURRELL	1,641,095.88	11,862.55	14,006.26	6,132.60	5,071.47	41,024.21
Total before/after consolidation/annexation			5,625,365.92	39,106.90	46,174.02	18,298.80	41,024.21	

Bonded debt assistance calculated with same misc funds data used to calculate foundation funding.

LEA NO.	County	School District	FY10 FY10	FY10 FY10	FY10 FY10	FY10 FY10	FY10 FY10	FY10 FY10	FY10 FY10	FY10 FY10
1802	CRITTENDEN	EARLE	402,817.50	90.00%	362,535.75	14,570.01	173,063.87	6,480,000	FY34	18.03
1805	CRITTENDEN	TURRELL	190,561.30	95.18%	181,376.25	12,439.67	59,328.80	3,142,500	FY33	
Total after consolidation/annexation			593,378.80	91.69%	544,078.97	13,787.14	229,732.48			
Total before consolidation/annexation			593,378.80		543,912.00		232,392.67			

Turrell is a Provision 2 district.

LEA NO.	County	School District	Oct-08 Enrollment Calculated	Oct-08 FREE	Oct-08 REDUCED	Oct-08 TOTAL F&R	Oct-08 PAID	Oct-08 F&R %	Oct-08 Adjusted F&R %	NSLA per student amount	FY10 NSLA funding
1802	CRITTENDEN	EARLE	781.00	722.00	22.00	744.00	37.00	95.3%	95.00%	1,488.00	1,107,072.00
1805	CRITTENDEN	TURRELL	338.00	236.00	43.00	279.00	59.00	83.1%	83.00%	992.00	276,768.00
Total after consolidation/annexation			1,119.00	958.00	65.00	1,023.00	96.00	91.4%	91.00%	1,488.00	1,522,224.00
Total before consolidation/annexation			1,119.00	958.00	65.00	1,023.00	96.00				1,383,840.00

LEA NO.	County	District	Percent Change in Enrollment				FY10 3 Yr Avg Growth if 1% or more in each of 3 yrs	FY10 Total NSLA Growth Funding
			Oct-05 Enrolled	Oct-06 Enrolled	Oct-07 Enrolled	Oct-08 Enrollment Calculated		
1802	CRITTENDEN	EARLE	874.00	794.00	841.00	781.00	-9.15%	0.00
1805	CRITTENDEN	TURRELL	392.00	366.00	317.00	338.00	-6.63%	0.00
Total after consolidation/annexation			1,266.00	1,160.00	1,158.00	1,119.00	-8.37%	0.00

LEA NO.	County	School District	FY09				FY10			
			2008 M&O Mills	2008 Dedicated M&O Mills	2008 Debt Service Mills	2008 Total Mills	FY09 FWI - District Share of Participation	FY09 FWI - State Share of Participation	FY10 FWI - District Share of Participation	FY10 FWI - State Share of Participation
1802	CRITTENDEN	EARLE	25.00	0.00	19.80	44.80	0.23559	0.76441	0.22607	0.77393
1805	CRITTENDEN	TURRELL	25.00	0.00	14.00	39.00	0.32169	0.67831	0.31386	0.68614

Data used to calculate student growth funding for fiscal year 2009-2010 is estimated for quarters 2, 3, and 4 pursuant to Act 1501 of 2009.

LEA NO.	County	School District	FY08				FY09				FY10			
			3-Qtr ADM as of 9/1/08	3-Qtr ADM	Qtr 1 ADM	Qtr 2 ADM	Qtr 3 ADM	Qtr 4 ADM	FY09 ADM	FY10 Qtr 1 ADM	FY09 3-Qtr ADM	FY09 ADM Qtr 2 % of Qtr 1	FY09 ADM Qtr 3 % of Qtr 1	FY09 ADM Qtr 4 % of Qtr 1
1802	CRITTENDEN	EARLE	821.05	774.96	774.96	774.79	784.60	772.75	762.10	762.10	778.41	99.98%	101.24%	99.71%
1805	CRITTENDEN	TURRELL	314.09	331.12	331.12	344.81	341.36	338.90	253.50	253.50	338.93	104.13%	103.09%	102.35%
Total after consolidation/annexation			1,135.14	1,106.08	1,106.08	1,119.60	1,125.96	1,111.65	1,015.60	1,015.60	1,117.34	101.22%	101.80%	100.50%

LEA NO.	County	School District	ESTIMATE FY10				ESTIMATE FY10				ESTIMATE FY10			
			Est. Qtr 2 fr FY09 % change	Est. Qtr 3 fr FY09 % change	Est. Qtr 4 fr FY09 % change	Est. Qtr 1 FY10	Est. Qtr 2 FY10	Est. Qtr 3 FY10	Est. Qtr 4 FY10	Est. Qtr 1 FY10	Est. Qtr 2 FY10	Est. Qtr 3 FY10	Est. Qtr 4 FY10	Est. Qtr 1 FY10
1802	CRITTENDEN	EARLE	761.93	771.58	759.93	774.96	774.96	774.96	774.96	762.10	778.41	99.98%	101.24%	99.71%
1805	CRITTENDEN	TURRELL	263.98	261.34	259.46	331.12	331.12	331.12	331.12	253.50	338.93	104.13%	103.09%	102.35%
Total after consolidation/annexation			1,028.01	1,033.85	1,020.71	1,106.08	1,106.08	1,106.08	1,106.08	1,015.60	1,117.34	101.22%	101.80%	100.50%

LEA NO.	County	School District	FY10				FY10				FY10			
			Declining Enrollment	Declining Enrollment	Declining Enrollment	Declining Enrollment	Declining Enrollment	Declining Enrollment	Declining Enrollment	Declining Enrollment	Declining Enrollment	Declining Enrollment	Declining Enrollment	Declining Enrollment
1802	CRITTENDEN	EARLE	125,894.60	125,894.60	125,894.60	125,894.60	125,894.60	125,894.60	125,894.60	125,894.60	125,894.60	125,894.60	125,894.60	125,894.60
1805	CRITTENDEN	TURRELL	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total after consolidation/annexation			52,554.50	52,554.50	52,554.50	52,554.50	52,554.50	52,554.50	52,554.50	52,554.50	52,554.50	52,554.50	52,554.50	52,554.50

District LEA	1802000	1805000
District Description	EARLE SCHOOL DISTRICT	TURRELL SCHOOL DISTRICT
FY-07 Legal Balance	383,340.41	533,899.19
FY-07 Restricted SOF	30,409.68	206,874.09
FY-07 Deposits with Paying Agents	0.00	0.00
FY-07 Current Loans	0.00	0.00
FY-07 Unrestricted Legal Balance	352,930.73	327,025.10
FY-08 Legal Balance	566,192.31	579,680.86
FY-08 Restricted SOF	35,618.62	159,781.58
FY-08 Deposits with Paying Agents	0.00	0.00
FY-08 Current Loans	0.00	0.00
FY-08 Unrestricted Legal Balance	530,573.69	419,899.28
FY-09 Legal Balance	358,502.54	449,062.96
FY-09 Restricted SOF	12,594.15	50,221.05
FY-09 Deposits with Paying Agents	0.00	16,711.30
FY-09 Current Loans	350,000.00	0.00
FY-09 Unrestricted Legal Balance	(4,091.61)	382,130.61
BUDGET:		
FY-10 Legal Balance	720,754.54	368,817.72
FY-10 Restricted SOF	60,724.00	(48,301.54)
FY-10 Deposits with Paying Agents	0.00	0.00
FY-10 Current Loans	0.00	0.00
FY-10 Unrestricted Legal Balance	781,478.54	320,516.18

Arkansas Department of Education

Historical Review of Selected Data

	Earle			Turrell		
	06-07	07-08	08-09	06-07	07-08	08-09
*ADM (3 QTR)	810	821	778	359	314	339
*Total Assessment	25,109,534	24,741,061	24,882,333	13,030,070	14,342,198	14,580,465
Total Expenditures	10,543,329	10,782,004	11,565,856	4,180,796	3,781,968	3,782,236
Per Pupil Expenditures	10,157	10,075	12,081	10,897	10,336	10,124
Total Mills	44.80	44.80	44.80	39.00	39.00	39.00
*Total Debt	7,365,733	7,533,295	7,699,996	3,107,529	3,049,619	3,194,065
*Certified FTE's	55.39	76.88	77.05	37.08	32.60	34.61
*Average Teacher Salary	49,446	33,529	37,610	38,005	39,630	39,069
* Free & Reduced Lunch			95.02%			100.00%
Mileage Earle to Weiner	17.18 miles					

*Actual fiscal year three quarter average.

Total Debt includes Bonded and Non-bonded filed with ADE.

Certified FTE's is the Total Non-Federal Certified FTE's.

Average Salary includes Non-Federal Certified Classroom FTE's.

Turrell School District is Provision 2

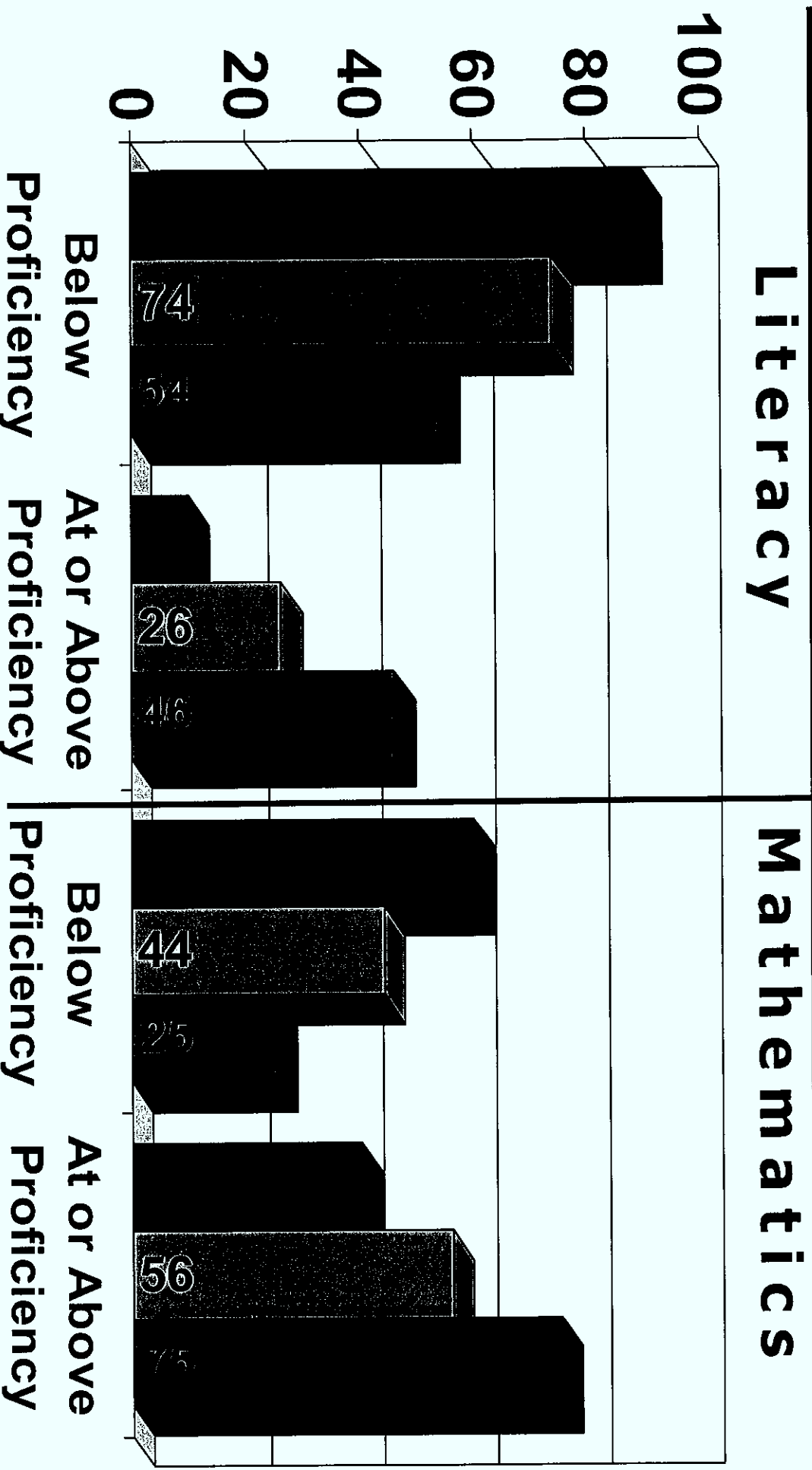
Data Source: Annual Statistical Reports (ASR) - ADM, Total Assessment, Total Expenditures, Total Mills,

Total Debt, Certified FTE's, & Average Salary

Child Nutrition Cycle 2 Data - Free & Reduced Lunch (prior to publication)

Mileage - Mapquest

Turrell Benchmark (Grade 3)



■ 2007

■ 2008

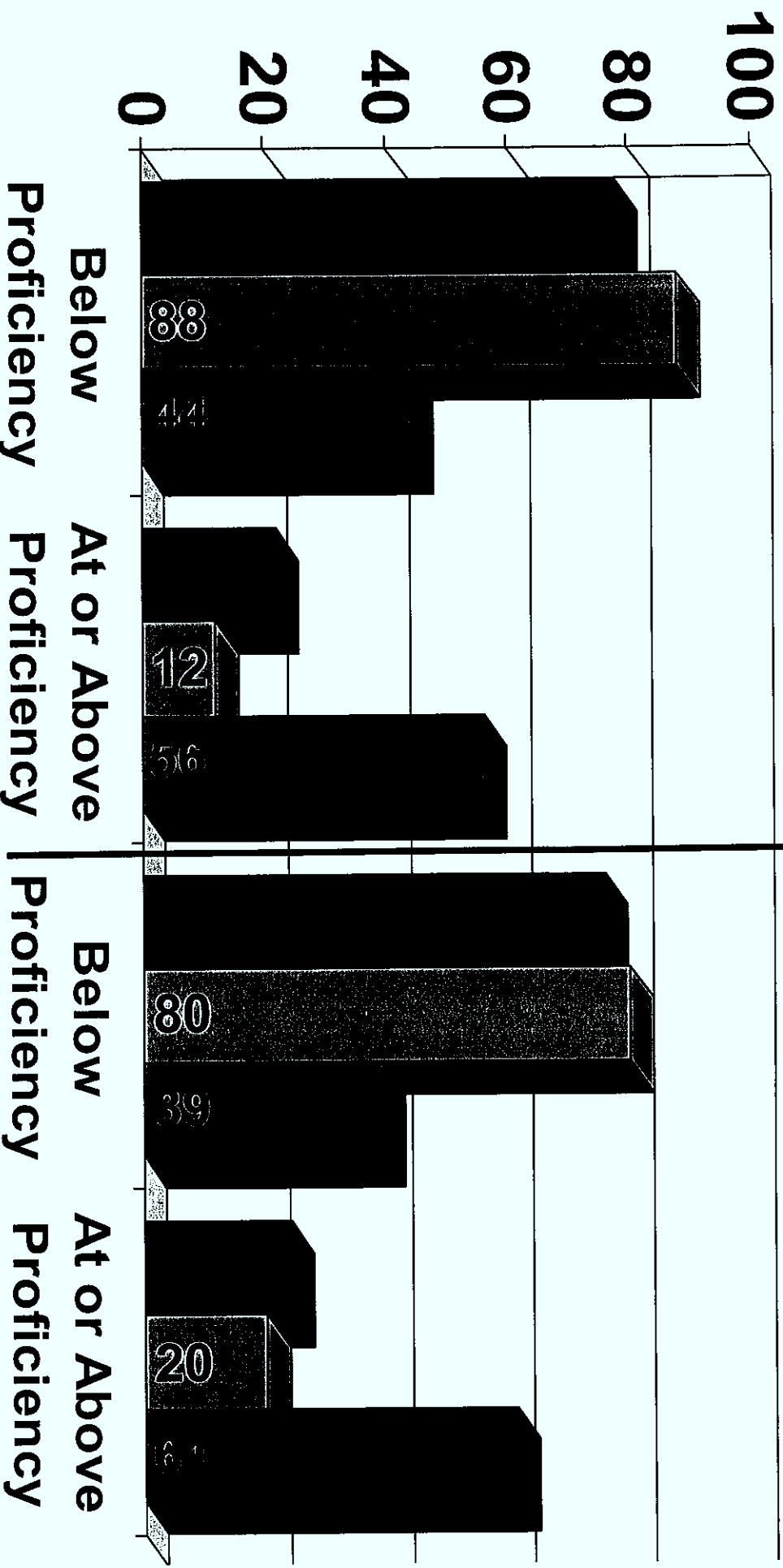
■ 2009

Combined Population

Turrell Benchmark (Grade 4)

Literacy

Mathematics



2007

2008

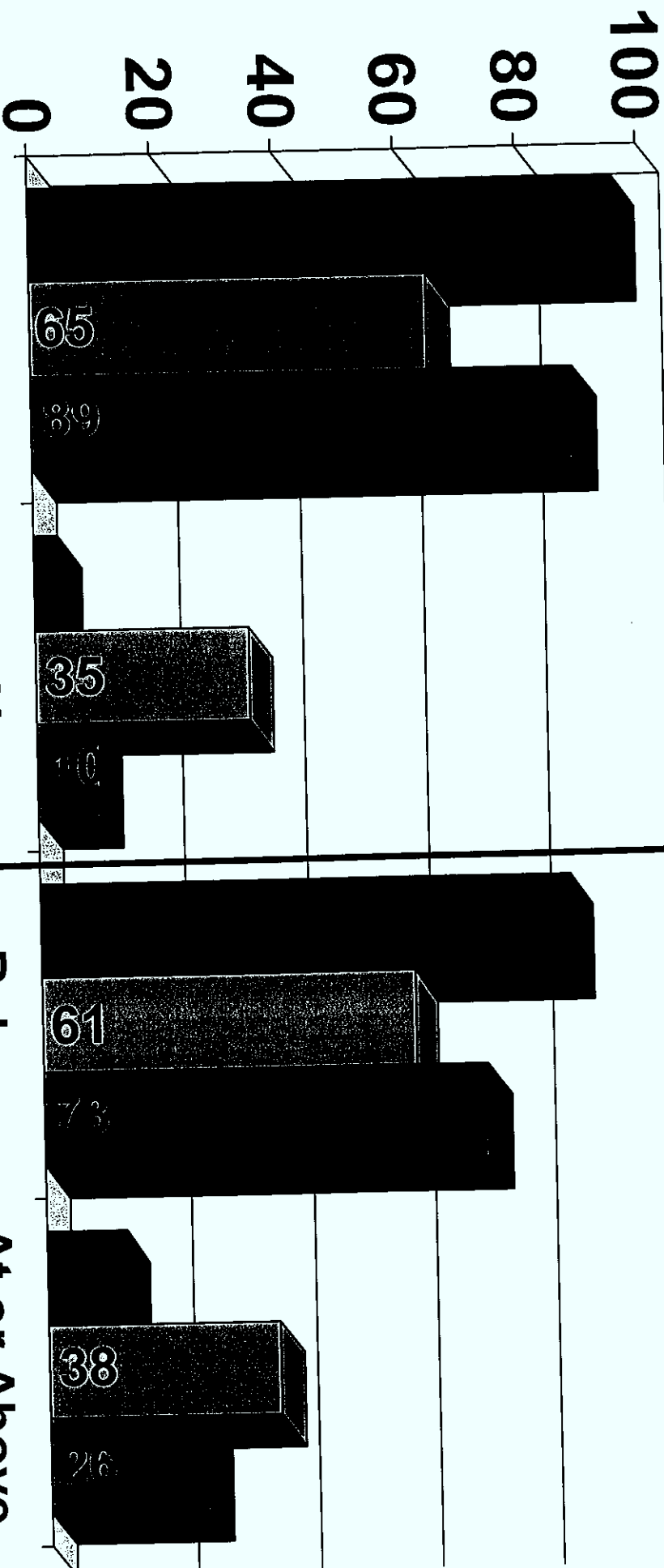
2009

Combined Population

Turrell Benchmark (Grade 5)

Literacy

Mathematics



Below Proficiency At or Above Proficiency Below Proficiency At or Above Proficiency

■ 2007

■ 2008

■ 2009

Combined Population

Turrell Benchmark (Grade 6)



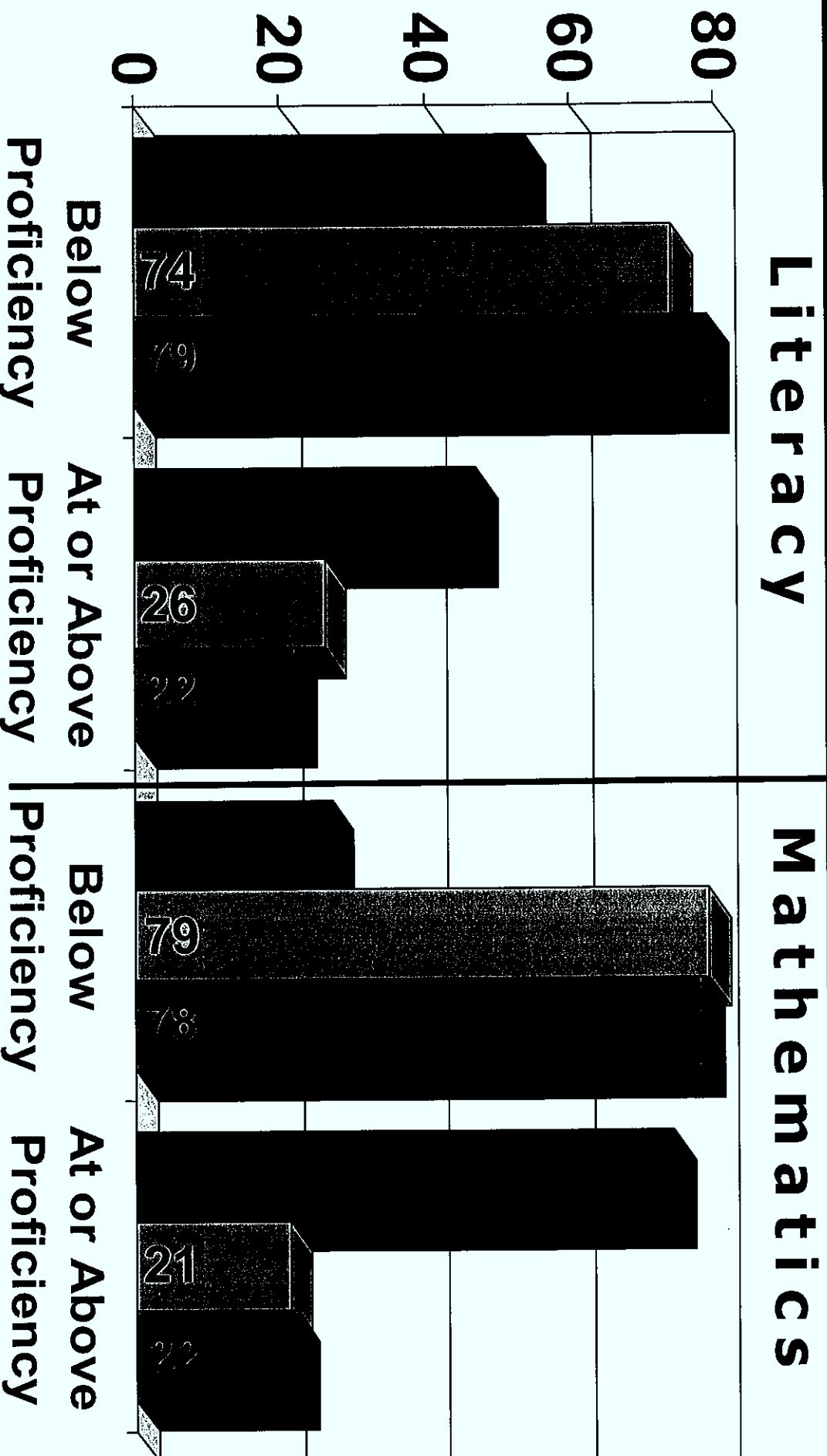
■ 2007

■ 2008

■ 2009

Combined Population

Turrell Benchmark (Grade 7)



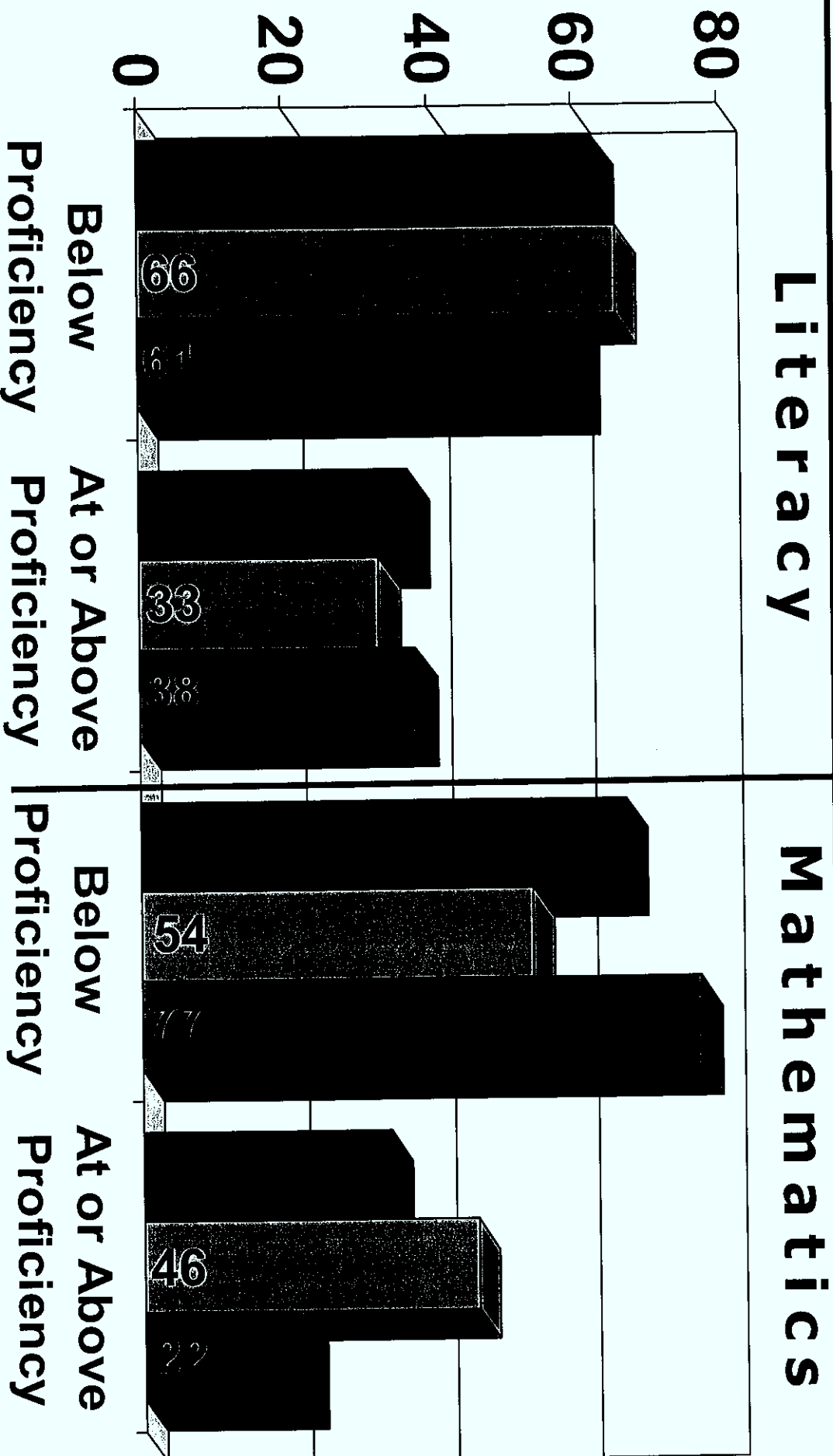
■ 2007

■ 2008

■ 2009

Combined Population

Turrell Benchmark (Grade 8)



■ 2007

■ 2008

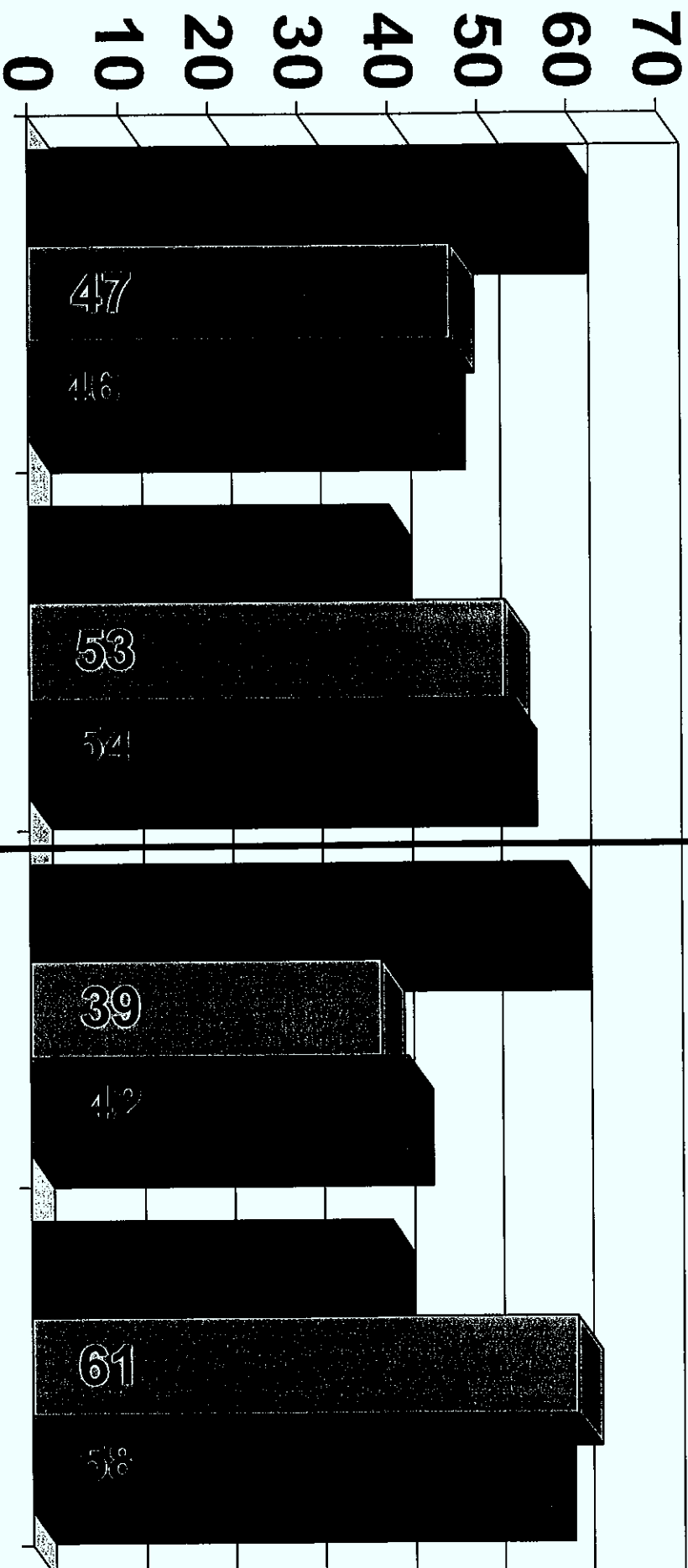
■ 2009

Combined Population

Earle Benchmark (Grade 3)

Literacy

Mathematics



Below Proficiency At or Above Proficiency Below Proficiency At or Above Proficiency

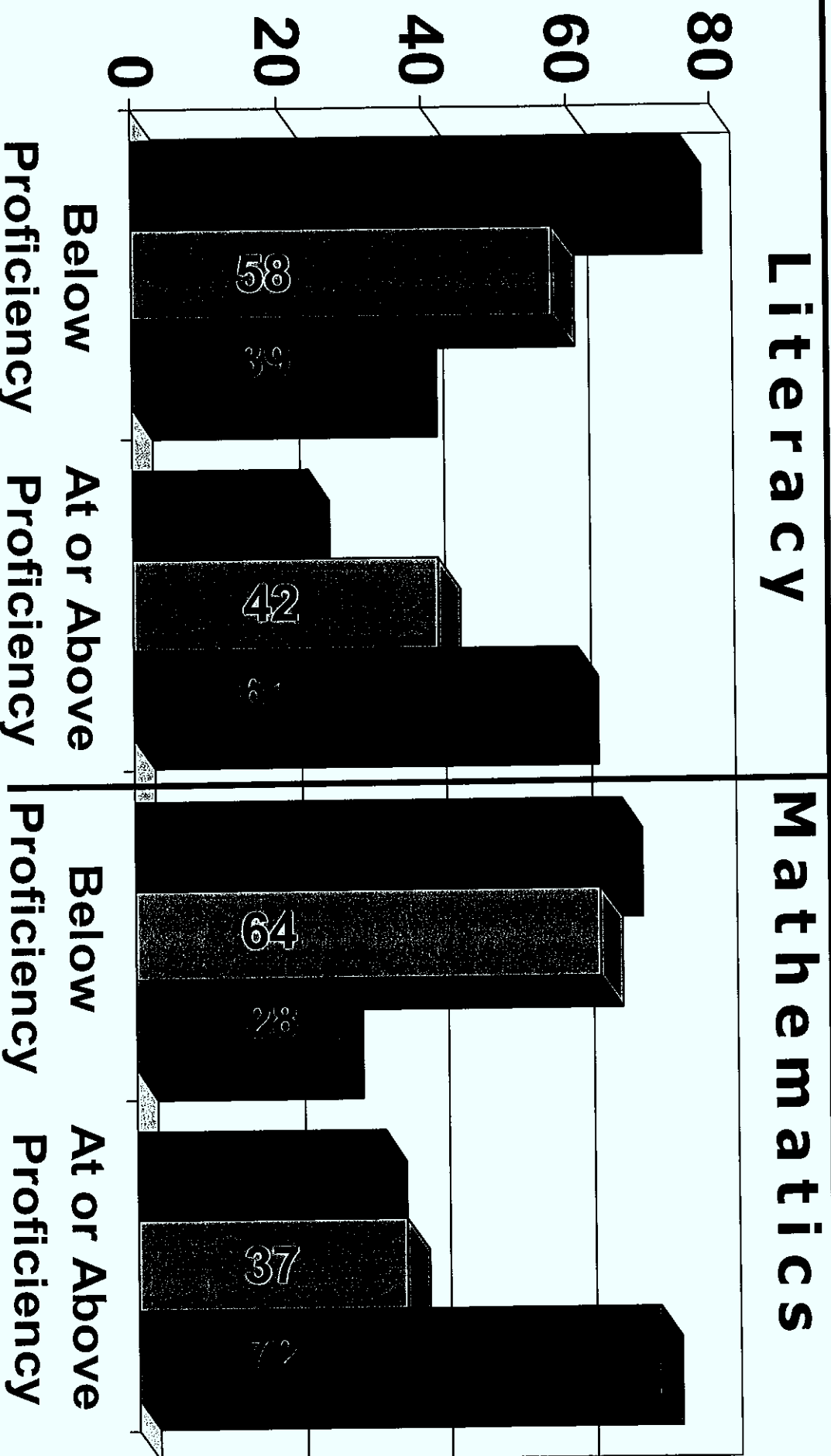
■ 2007

■ 2008

■ 2009

Combined Population

Earle Benchmark (Grade 4)



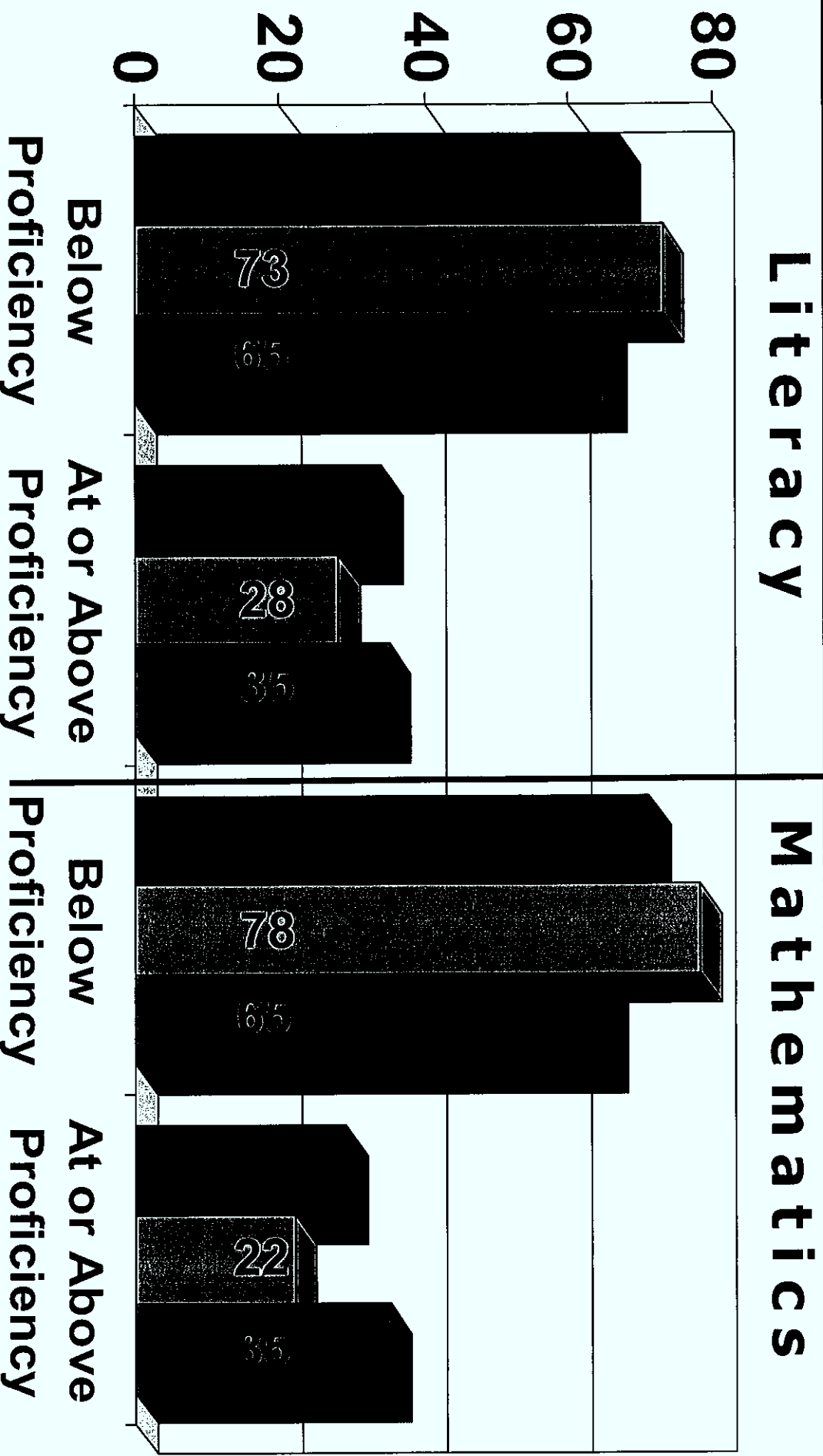
■ 2007

■ 2008

■ 2009

Combined Population

Earle Benchmark (Grade 5)



■ 2007

■ 2008

■ 2009

Combined Population

Earle Benchmark (Grade 6)

Literacy

Mathematics



Below Proficiency At or Above Proficiency Below Proficiency At or Above Proficiency

■ 2007

■ 2008

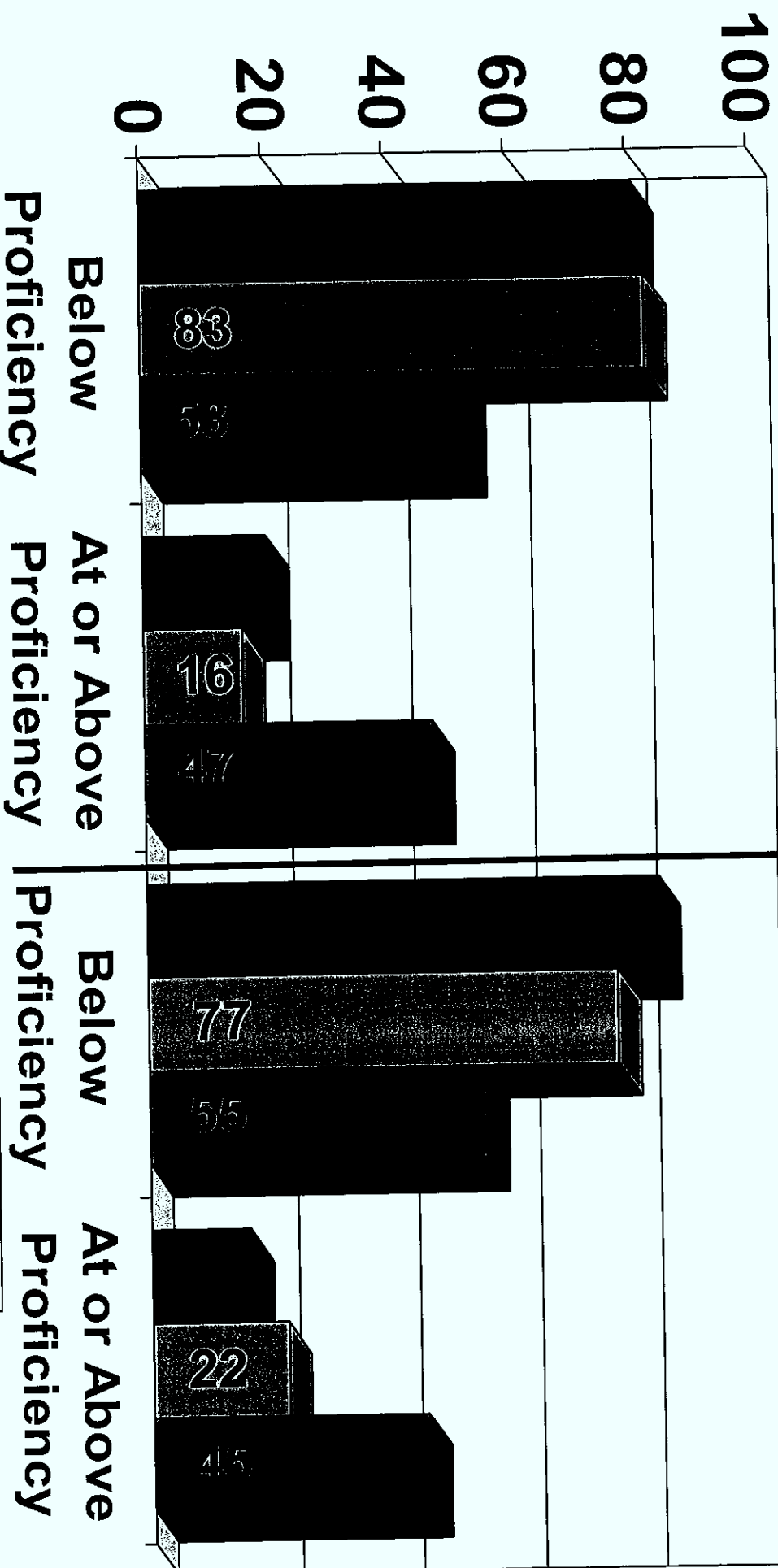
■ 2009

Combined Population

Earle Benchmark (Grade 7)

Literacy

Mathematics



■ 2007

■ 2008

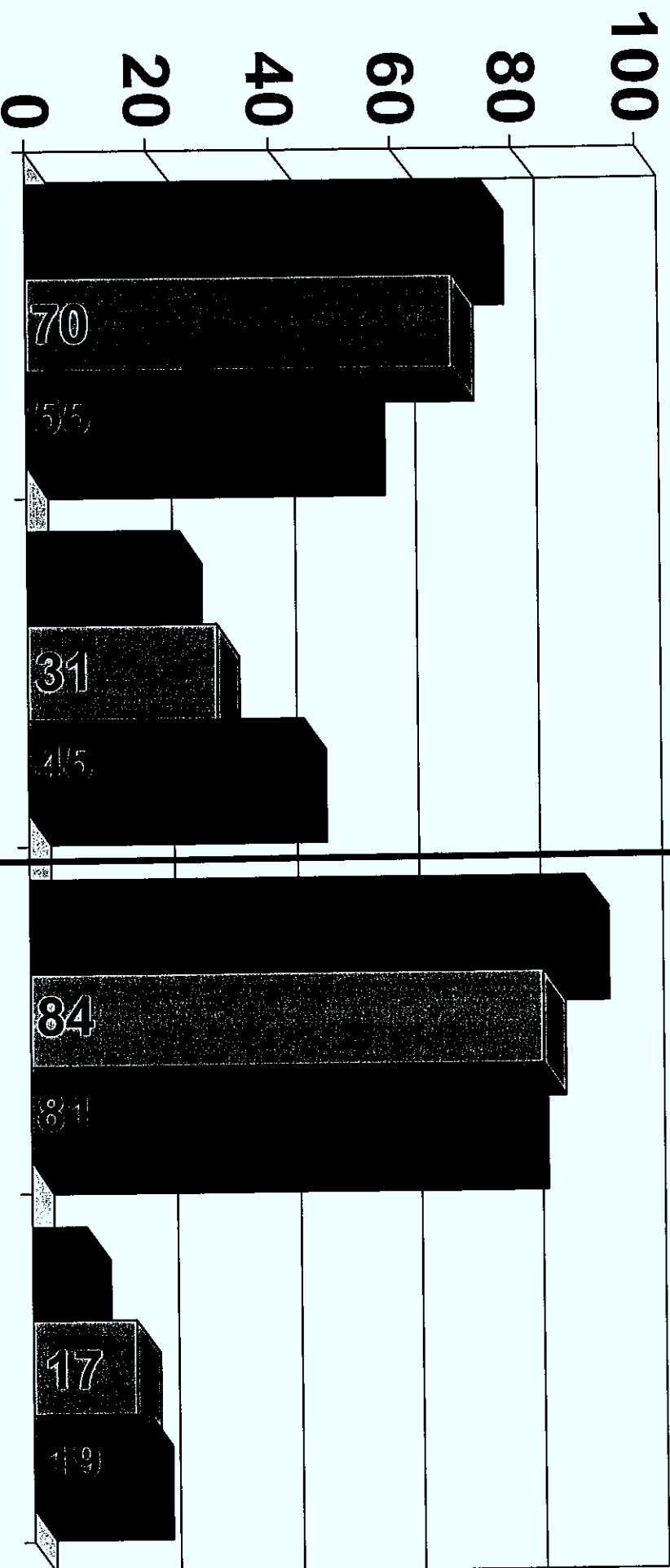
■ 2009

Combined Population

Earle Benchmark (Grade 8)

Literacy

Mathematics



Below Proficiency At or Above Proficiency Below Proficiency At or Above Proficiency

■ 2007

■ 2008

■ 2009

Combined Population

ACCREDITATION HISTORY

Earle School District

And

Turrell School District

Earle School District	06-07	07-08	08-09
District Office			
Earle Elementary School	A	A	A
Dunbar Middle School	C	A	P
Earle High School	C	A	P
Turrell School District	06-07	07-08	08-09
District Office			C
Turrell Elementary School	A	A	C
Turrell High School	C	C	P

03/08/10

ANNUAL ACCREDITATION STATUS REPORT (2008-2009)

Run Date: 05/07/2009

Page #: 1

Lea: 18-02-000

District: EARLE SCHOOL DISTRICT

County: CRITTENDEN

Supervisor: E. HARVEY

2008-2009 Status:
Review Date: Comments:

2007-2008 Status:
Review Date: Comments:

2006-2007 Status:
Review Date: Comments:

Enrollment-	K	66
	1	61
	2	60
	3	52
	4	56
	5	64
	6	48
	7	52
	8	51
	9	67
	10	74
	11	71
	12	59
	EE	0
	SM	0
	SS	0
	13	0

Total enrollment for 18-02-000: 781

FTE Totals-

Counselor	3.00
Principal	3.00
Asst. Principal	0.00
Library/Media	2.50

Staff Development Hours:
Total Book Volume:

ANNUAL ACCREDITATION STATUS REPORT (2008-2009)

Run Date: 05/07/2009

Page #: 2

Lea: 18-02-005

School: EARLE ELEMENTARY SCHOOL

2008-2009 Status: ACCREDITED

Review Date: Comments:

8313 JOB NOT CERT 09/01/2011 Licensure Completion Deadline
 JESSICA M EVANS-JEFFERSON
 6015 Elementary Guidance Counselor

2007-2008 Status: ACCREDITED

Review Date: Comments:

2006-2007 Status: ACCREDITED

Review Date: Comments:

Enrollment-	K	66
	1	61
	2	60
	3	52
	4	56
	5	0
	6	0
	7	0
	8	0
	9	0
	10	0
	11	0
	12	0
	EE	0
	SM	0
	SS	0
	13	0

Total enrollment for 18-02-005: 295

FTE Totals-

Counselor	0.50
Principal	1.00
Asst. Principal	0.00
Library/Media	1.00

Staff Development Hours:	60
Total Book Volume:	7102

ANNUAL ACCREDITATION STATUS REPORT (2008-2009)

Run Date: 05/07/2009

Page #: 3

Lea: 18-02-006

School: DUNBAR MIDDLE SCHOOL

2008-2009 Status: ACCREDITED - PROBATIONARY
Review Date: 10/15/2009 Comments: D. MASON-BARNES NO WAIVER; K. MOORE NO
WAIVER

8313 JOB NOT CERT 09/01/2010 Licensure Completion Deadline
DEBORAH MASON-BARNES Cite
399080 Family & Consumer Sciences Investigations
8313 JOB NOT CERT 09/01/2011 Licensure Completion Deadline
FLORINE WILLIAMS
366110 Language Arts Grade 6
8313 JOB NOT CERT 09/01/2011 Licensure Completion Deadline
FLORINE WILLIAMS
366710 Social Studies Grade 6
8313 JOB NOT CERT 09/01/2011 Licensure Completion Deadline
TIFFANY Y WILLIAMS
355710 Social Studies Grade 5
8313 JOB NOT CERT 09/01/2011 Licensure Completion Deadline
KORRENZO K MOORE
970600 Title I Math

2007-2008 Status: ACCREDITED
Review Date: Comments:

2006-2007 Status: ACCREDITED-CITED
Review Date: Comments:

8313 JOB NOT CERT 09/01/2008 Licensure Completion Deadline
MELISSA J GILLUM NESBY
377710 Social Studies Grade 7
8313 JOB NOT CERT 09/01/2008 Licensure Completion Deadline
MELISSA J GILLUM NESBY
388710 Social Studies Grade 8
8313 JOB NOT CERT 09/01/2008 Licensure Completion Deadline
MARILYN R COBSON
355510 Visual Art Grade 5 (***)

ANNUAL ACCREDITATION STATUS REPORT (2008-2009)

Run Date: 05/07/2009

Page #: 4

Lea: 18-02-006

School: DUNBAR MIDDLE SCHOOL

8313 JOB NOT CERT
MARILYN R COBSON
366510 Visual Art Grade 6 (***)

09/01/2008 Licensure Completion Deadline

Enrollment-	K	0
	1	0
	2	0
	3	0
	4	0
	5	64
	6	48
	7	52
	8	51
	9	0
	10	0
	11	0
	12	0
	EE	0
	SM	0
	SS	0
	13	0

Total enrollment for 18-02-006: 215

FTE Totals-

Counselor	0.50
Principal	1.00
Asst. Principal	0.00
Library/Media	0.50

Staff Development Hours:	60
Total Book Volume:	3005

ANNUAL ACCREDITATION STATUS REPORT (2008-2009)

Run Date: 05/07/2009

Page #: 5

Lea: 18-02-007

School: EARLE HIGH SCHOOL

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2008-2009 Status: ACCREDITED - PROBATIONARY
Review Date: 10/15/2009 Comments: D. MASON-BARNES NO WAIVER

8313	JOB NOT CERT	09/01/2006	Licensure Completion Deadline
	THEODORE A HERRMAN		Probation
453000	Survey of Fine Arts (.5 credit)		
8313	JOB NOT CERT	09/01/2010	Licensure Completion Deadline
	DEBORAH MASON-BARNES		Cite
493080	Family & Consumer Sciences		
8313	JOB NOT CERT	09/01/2010	Licensure Completion Deadline
	FELICIA A WATSON		Cite
6030	High School Guidance Counselor		
8313	JOB NOT CERT	09/01/2011	Licensure Completion Deadline
	JEFF SPALETTA		
470000	American History		
8313	JOB NOT CERT	09/01/2011	Licensure Completion Deadline
	JEFF SPALETTA		
471000	World History		
8313	JOB NOT CERT	09/01/2011	Licensure Completion Deadline
	JEFF SPALETTA		
472000	Civics/Government (.5 credit)		
8313	JOB NOT CERT	09/01/2011	Licensure Completion Deadline
	JEFF SPALETTA		
472100	Civics/Government (1 credit)		
8313	JOB NOT CERT	09/01/2011	Licensure Completion Deadline
	JEFF SPALETTA		
479010	ADE Approved Social Studies (.5 Credit)		

2007-2008 Status: ACCREDITED
Review Date: Comments:

2006-2007 Status: ACCREDITED-CITED
Review Date: Comments:

ANNUAL ACCREDITATION STATUS REPORT (2008-2009)

Run Date: 05/07/2009

Page #: 6

Lea: 18-02-007

School: EARLE HIGH SCHOOL

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8313  JOB NOT CERT                09/01/2008 Licensure Completion Deadline
      LELA M COLEMAN
971500 Special Education Itinerant Services

8313  JOB NOT CERT                09/01/2008 Licensure Completion Deadline
      YVONE L WEST
410000 English 9

8313  JOB NOT CERT                09/01/2008 Licensure Completion Deadline
      YVONE L WEST
411000 English 10

8313  JOB NOT CERT                09/01/2008 Licensure Completion Deadline
      YVONE L WEST
415000 Journalism

8313  JOB NOT CERT                09/01/2008 Licensure Completion Deadline
      YVONE L WEST
510010 ADE Approved English 9 Honors

8313  JOB NOT CERT                09/01/2008 Licensure Completion Deadline
      YVONE L WEST
511010 ADE Approved English 10 Honors

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Enrollment-	K	0
	1	0
	2	0
	3	0
	4	0
	5	0
	6	0
	7	0
	8	0
	9	67
	10	74
	11	71
	12	59
	EE	0
	SM	0
	SS	0
	13	0

Total enrollment for 18-02-007: 271

FTE Totals-

Counselor	2.00
Principal	1.00
Asst. Principal	0.00
Library/Media	1.00

Staff Development Hours:	60
Total Book Volume:	27000

ANNUAL ACCREDITATION STATUS REPORT (2008-2009)

Run Date: 05/07/2009
 Lea: 18-05-000
 County: CRITTENDEN

Page #: 1
 District: TURRELL SCHOOL DISTRICT
 Supervisor: E. HARVEY

2008-2009 Status: ACCREDITED-CITED
 Review Date: Comments:

20000 DATE RECEIVED

2007-2008 Status:
 Review Date: Comments:

2006-2007 Status:
 Review Date: Comments:

Enrollment-	K	25
	1	19
	2	24
	3	23
	4	27
	5	21
	6	34
	7	23
	8	34
	9	21
	10	29
	11	22
	12	30
	EE	0
	SM	0
	SS	0
	13	0

Total enrollment for 18-05-000: 332

FTE Totals-	Counselor	0.88
	Principal	2.00
	Asst. Principal	0.00
	Library/Media	1.00

Staff Development Hours:
 Total Book Volume:

ANNUAL ACCREDITATION STATUS REPORT (2008-2009)

Run Date: 05/07/2009

Page #: 2

Lea: 18-05-020

School: TURRELL ELEMENTARY SCHOOL

2008-2009 Status: ACCREDITED - PROBATIONARY
 Review Date: 10/15/2009 Comments: Q. WYATT NO WAIVER

8313 JOB NOT CERT 09/01/2010 Licensure Completion Deadline
 QUANTA G WYATT Cite
 5010 Elementary Library/Media Specialist

8313 JOB NOT CERT 09/01/2011 Licensure Completion Deadline
 DIANE WOODS
 971530 Special Education Resource Services

8313 JOB NOT CERT 09/01/2011 Licensure Completion Deadline
 DIANE WOODS
 971550 Special Education Self-Contained (T/P Ratio 1-6)

2007-2008 Status: ACCREDITED
 Review Date: Comments:

8313 JOB NOT CERT 09/01/2009 Licensure Completion Deadline
 MARY A HARRIS
 233110 Grade 3 Language Arts

8313 JOB NOT CERT 09/01/2009 Licensure Completion Deadline
 MARY A HARRIS
 233120 Grade 3 Reading

8313 JOB NOT CERT 09/01/2009 Licensure Completion Deadline
 MARY A HARRIS
 233210 Grade 3 Science

8313 JOB NOT CERT 09/01/2009 Licensure Completion Deadline
 MARY A HARRIS
 233310 Grade 3 Mathematics

8313 JOB NOT CERT 09/01/2009 Licensure Completion Deadline
 MARY A HARRIS
 233710 Grade 3 Social Studies

8313 JOB NOT CERT 09/01/2009 Licensure Completion Deadline
 MARY A HARRIS
 233930 Grade 3 Physical Education

8313 JOB NOT CERT 09/01/2009 Licensure Completion Deadline
 MARY A HARRIS
 970300 Title I Reading

ANNUAL ACCREDITATION STATUS REPORT (2008-2009)

Run Date: 05/07/2009

Page #: 3

Lea: 18-05-020

School: TURRELL ELEMENTARY SCHOOL

8313 JOB NOT CERT
 MARY A HARRIS
 970400 Title I Language Arts

09/01/2009 Licensure Completion Deadline

8313 JOB NOT CERT
 MARY A HARRIS
 970600 Title I Math

09/01/2009 Licensure Completion Deadline

2006-2007 Status: ACCREDITED
 Review Date: Comments:

Enrollment-	K	25
	1	19
	2	24
	3	23
	4	27
	5	21
	6	34
	7	0
	8	0
	9	0
	10	0
	11	0
	12	0
	EE	0
	SM	0
	SS	0
	13	0

Total enrollment for 18-05-020: 173

FTE Totals-		
	Counselor	0.44
	Principal	1.00
	Asst. Principal	0.00
	Library/Media	0.50

Staff Development Hours:	60
Total Book Volume:	6803

ANNUAL ACCREDITATION STATUS REPORT (2008-2009)

Run Date: 05/07/2009

Page #: 4

Lea: 18-05-021

School: TURRELL HIGH SCHOOL

2008-2009 Status: ACCREDITED - PROBATIONARY
 Review Date: 10/15/2009 Comments: Q. WYATT NO WAIVER; C. MCCLUNG NO WAIVER; R. KING NO WAIVER

8313 JOB NOT CERT 09/01/2011 Licensure Completion Deadline
 STEPHEN C THOMAS, JR.
 388110 Language Arts Grade 8

8313 JOB NOT CERT 09/01/2010 Licensure Completion Deadline
 STEPHEN C THOMAS, JR. Cite
 970400 Title I Language Arts

8313 JOB NOT CERT 09/01/2010 Licensure Completion Deadline
 STEPHEN C THOMAS, JR. Cite
 970600 Title I Math

8313 JOB NOT CERT 09/01/2010 Licensure Completion Deadline
 STEPHEN C THOMAS, JR. Cite
 971540 Special Education Self-Contained (T/P Ratio 1-10 o

8313 JOB NOT CERT 09/01/2010 Licensure Completion Deadline
 STEPHEN C THOMAS, JR. Cite
 972300 Special Education Mathematics

8313 JOB NOT CERT 09/01/2010 Licensure Completion Deadline
 QUANTA G WYATT Cite
 5030 High School Library/Media Spec.

8313 JOB NOT CERT 09/01/2011 Licensure Completion Deadline
 CARIN L MCCLUNG
 415000 Journalism

8313 JOB NOT CERT 09/01/2011 Licensure Completion Deadline
 REBECCA D KING
 480000 Health and Safety (.5 Credit)

2007-2008 Status: ACCREDITED-CITED
 Review Date: Comments:

8313 JOB NOT CERT 09/01/2008 Licensure Completion Deadline
 CHARLES E HOBBS
 377310 mathematics Grade 7

8313 JOB NOT CERT 09/01/2009 Licensure Completion Deadline
 CHARLES E HOBBS
 377390 Ramp-Up to Math - 7

ANNUAL ACCREDITATION STATUS REPORT (2008-2009)

Run Date: 05/07/2009

Page #: 5

Lea: 18-05-021

School: TURRELL HIGH SCHOOL

=====

8313	JOB NOT CERT	09/01/2009	Licensure Completion Deadline
	CHARLES E HOBBS		
970600	Title I Math		
8313	JOB NOT CERT	09/01/2009	Licensure Completion Deadline
	SUSAN WILLIAMS		
430000	Algebra I		
8313	JOB NOT CERT	09/01/2009	Licensure Completion Deadline
	SUSAN WILLIAMS		
431000	Geometry		
8313	JOB NOT CERT	09/01/2009	Licensure Completion Deadline
	SUSAN WILLIAMS		
432000	Algebra II		
8313	JOB NOT CERT	09/01/2009	Licensure Completion Deadline
	SUSAN WILLIAMS		
433000	Pre Calculus including Trigonometry		

2006-2007	Status: ACCREDITED-CITED
Review Date:	Comments:

8313	JOB NOT CERT	09/01/2007	Licensure Completion Deadline
	STEVE AL HOGUE		
453000	Survey of Fine Arts (.5 credit)		

ANNUAL ACCREDITATION STATUS REPORT (2008-2009)

Run Date: 05/07/2009

Page #: 6

Lea: 18-05-021

School: TURRELL HIGH SCHOOL

Enrollment-	K	0
	1	0
	2	0
	3	0
	4	0
	5	0
	6	0
	7	23
	8	34
	9	21
	10	29
	11	22
	12	30
	EE	0
	SM	0
	SS	0
	13	0

Total enrollment for 18-05-021: 159

FTE Totals-

Counselor	0.44
Principal	1.00
Asst. Principal	0.00
Library/Media	0.50

Staff Development Hours:	60
Total Book Volume:	3025

ACCREDITATION HISTORY

Turrell School District, Earle School District And Contiguous Districts

Turrell School District LEA 18-05-000			
Schools	06-07	07-08	08-09
District			C
Turrell Elementary School	A	A	C
Turrell High School	C	C	P
Earle School District LEA 18-02-000			
Schools	06-07	07-08	08-09
Earle Elementary School	A	A	A
Dunbar Middle School	C	A	P
Earle High School	C	A	P
West Memphis School District LEA 18-03-000			
Schools	06-07	07-08	08-09
Bragg Elementary School	A	C	C
Faulk Elementary School	C	C	C
Jackson Elementary School	A	C	C
Maddux Elementary School	A	C	C
Richland Elementary School	A	C	C
Weaver Elementary School	A	A	C
Wedlock Elementary School	A	C	C
Wonder Elementary School	A	C	C
East Junior High School	C	A	A
West Junior High School	C	A	A
Wonder Junior High School	A	A	A
West Memphis High School	P	C	A
Marion School District LEA 18-04-000			
Schools	06-07	07-08	08-09
Avondale Elementary School	A	A	A
Marion Elementary School	A	A	A
Marion Intermediate School	A	A	A
Marion Middle School	A	A	C
Marion Junior High School	A	A	A
Marion High School	A	C	A

Wynne School District LEA 19-05-000			
Schools	06-07	07-08	08-09
Wynne Primary School	A	A	A
Wynne Intermediate School	A	A	A
Wynne Junior High School	A	A	A
Wynne High School	A	A	C
South Mississippi County School District LEA 47-06-000			
Schools	06-07	07-08	08-09
District	C		
Luxora Elementary School	A	A	P
Keiser Elementary School	C	A	P
Wilson Elementary School	C	A	A
Rivercrest Junior High School	A	C	C
Rivercrest High School	A	C	C
Marked Tree School District LEA 56-04-000			
Schools	06-07	07-08	08-09
Marked Tree Elementary School	A	A	A
Marked Tree High School	C	C	A
East Poinsett County School District LEA 56-08-000			
Schools	06-07	07-08	08-09
Lepanto Elementary School	A	A	A
Tyronza Elementary School	A	A	A
East Poinsett County High School	C	P	C
Forrest City School District LEA 62-01-000			
Schools	06-07	07-08	08-09
Central Elementary School	A	A	A
Stewart Elementary School	A	A	A
Lincoln Middle School	A	A	C
Forrest City Junior High School	A	A	A
Forrest City High School	A	A	C
Hughes School District LEA 62-02-000			
Schools	06-07	07-08	08-09
Mildred Jackson Elementary School	P	C	C
Hughes High School	P	P	P

ACCREDITATION HISTORY

Turrell School District, Earle School District And Contiguous Districts

Turrell School District LEA 18-05-000			
Schools	06-07	07-08	08-09
District			C
Turrell Elementary School	A	A	C
Turrell High School	C	C	P
Earle School District LEA 18-02-000			
Schools	06-07	07-08	08-09
Earle Elementary School	A	A	A
Dunbar Middle School	C	A	P
Earle High School	C	A	P
West Memphis School District LEA 18-03-000			
Schools	06-07	07-08	08-09
Bragg Elementary School	A	C	C
Faulk Elementary School	C	C	C
Jackson Elementary School	A	C	C
Maddux Elementary School	A	C	C
Richland Elementary School	A	C	C
Weaver Elementary School	A	A	C
Wedlock Elementary School	A	C	C
Wonder Elementary School	A	C	C
East Junior High School	C	A	A
West Junior High School	C	A	A
Wonder Junior High School	A	A	A
West Memphis High School	P	C	A
Marion School District LEA 18-04-000			
Schools	06-07	07-08	08-09
Avondale Elementary School	A	A	A
Marion Elementary School	A	A	A
Marion Intermediate School	A	A	A
Marion Middle School	A	A	C
Marion Junior High School	A	A	A
Marion High School	A	C	A

Wynne School District LEA 19-05-000			
Schools	06-07	07-08	08-09
Wynne Primary School	A	A	A
Wynne Intermediate School	A	A	A
Wynne Junior High School	A	A	A
Wynne High School	A	A	C
South Mississippi County School District LEA 47-06-000			
Schools	06-07	07-08	08-09
District	C		
Luxora Elementary School	A	A	P
Keiser Elementary School	C	A	P
Wilson Elementary School	C	A	A
Rivercrest Junior High School	A	C	C
Rivercrest High School	A	C	C
Marked Tree School District LEA 56-04-000			
Schools	06-07	07-08	08-09
Marked Tree Elementary School	A	A	A
Marked Tree High School	C	C	A
East Poinsett County School District LEA 56-08-000			
Schools	06-07	07-08	08-09
Lepanto Elementary School	A	A	A
Tyronza Elementary School	A	A	A
East Poinsett County High School	C	P	C
Forrest City School District LEA 62-01-000			
Schools	06-07	07-08	08-09
Central Elementary School	A	A	A
Stewart Elementary School	A	A	A
Lincoln Middle School	A	A	C
Forrest City Junior High School	A	A	A
Forrest City High School	A	A	C
Hughes School District LEA 62-02-000			
Schools	06-07	07-08	08-09
Mildred Jackson Elementary School	P	C	C
Hughes High School	P	P	P



ARKANSAS DEPARTMENT OF EDUCATION

February 11, 2010

Dr. Tom W. Kimbrell
Commissioner

State Board
of Education

Dr. Naccaman Williams
Springdale
Chair

Jim Cooper
Melbourne
Vice Chair

Sherry Burrow
Jonesboro

Brenda Gullett
Fayetteville

Sam Ledbetter
Little Rock

Alice Mahony
El Dorado

Dr. Ben Mays
Clinton

Toyce Newton
Crossett

The Honorable Attorney General Dustin McDaniel
ATTN: Senior Assistant Attorney General Warren T. Readnour
Office of the Attorney General
323 Center Street, Suite 200
Little Rock, AR 72201

Re: Proposed Annexation of School Districts

Dear Attorney General McDaniel:

Pursuant to Ark. Code Ann. §§ 6-13-1408 and 6-13-1603, the State Board of Education (SBE) is required to accomplish consolidations or annexations of school districts in a way that does not create a school district which hampers, delays, or in any manner negatively affects the desegregation of another school district.

Therefore, I respectfully request your opinion as to whether the proposed voluntary annexation of the Turrell School District into the Earle School District would negatively affect, hamper or delay the desegregation efforts of the affected or any other school districts. You have previously provided the SBE with an opinion on this proposed annexation on March 27, 2009, so I will not resubmit the desegregation information submitted with last year's opinion request. As new enrollment figures for the districts in question and their contiguous districts for the current school year exist, I am asking for your opinion again in this matter. A copy of the annexation petition from the districts is also attached. I have also enclosed relevant enrollment information for your assistance in the opinion drafting process.

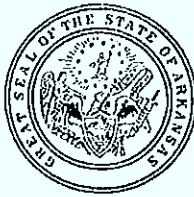
As the SBE must make a decision on this annexation on Tuesday, March 16, 2010, your earliest response to this request is greatly appreciated.

Respectfully,

Dr. Tom Kimbrell
Commissioner
Department of Education

Four Capitol Mall
Little Rock, AR
72201-1019
(501) 682-4475
ArkansasEd.org

TK/jl/tw/slr
Attachments



THE ATTORNEY GENERAL
STATE OF ARKANSAS
DUSTIN McDANIEL

Warren T. Readnour
Senior Assistant Attorney General

Direct dial: (501) 682-2016
Facsimile: (501) 682-2591
E-mail: warren.readnour@arkansasag.gov

February 22, 2010

Dr. Tom Kimbrell
Commissioner of Education
Arkansas Department of Education
4 State Capitol Mall
Little Rock, Arkansas 72201-1019

Re: Proposed Annexation of the Turrell School District

Dear Dr. Kimbrell:

This is in response to your letter to Attorney General McDaniel dated February 11, 2010, in which you ask for our advice, pursuant to Ark. Code Ann. § 6-13-1408(b) and 6-13-1603, concerning the desegregation effects of a proposed annexation of the Turrell School District to the Earle School District. Section 6-13-1408(b) provides that, prior to the entry of any order annexing or consolidating school districts, "the state board shall seek an advisory opinion from the Attorney General concerning the impact of the proposed annexation or consolidation on the effort of the state to assist a school district or districts in desegregation of the public schools of this state." Section 6-13-1603(c) provides that "[a]ll administrative consolidations or annexations under this section shall be accomplished so as not to create a school district that hampers, delays, or in any manner negatively affects the desegregation of another school district in this state."

Under United States Supreme Court precedent, the term "desegregation" is a legal term of art that describes the process by which a school district eliminates, to the extent practicable, the lingering effects or "vestiges" of prior *de jure* racial discrimination. Thus, in the absence of a finding that a school district has engaged in the past in activities prohibited by the Fourteenth Amendment to the United States Constitution, and that there are presently lingering effects or vestiges of that discrimination that remain unaddressed, a school district is not "desegregating" as that term is used in case law.

In this case, the State Board is considering the possible annexation of the Turrell School District to the contiguous Earle School District. If approved, the annexation would result in the creation of a new larger district. The Department of Education has indicated that the school districts that would share a border with the newly formed district would be the East Poinsett County, Hughes, Marion, Marked Tree, South Mississippi County, and Wynne School Districts. Based on information provided by the Department of Education, we are unaware of any pending desegregation court decrees in Turrell, Earle, or the potential surrounding districts.¹ Therefore, we cannot say that the proposed annexation will have any negative effect on any desegregation efforts in those districts.

As will be the case in any proposed annexation or consolidation, the Board must be cognizant that it may not order or approve any proposed annexation or consolidation with the purpose or intent to create racially segregated schools. As the Supreme Court noted in *Missouri v. Jenkins*, 515 U.S. 70, 115 (1995):

[I]n order to find unconstitutional segregation, we require that plaintiffs "prove all of the essential elements of *de jure* segregation — that is, stated simply, a current condition of segregation resulting from *intentional state action directed specifically* to the [allegedly segregated] schools." *Keyes v. School Dist. No. 1, Denver*, 413 U.S. 189, 205-206 (1973) (emphasis added). "[T]he differentiating factor between *de jure* segregation and so-called *de facto* segregation . . . is purpose or *intent* to segregate." *Id.*, at 208 (emphasis in original).

There are numerous cases that discuss legal challenges to school district annexations and consolidations in the context of desegregation litigation, but in each case the question of whether a particular annexation or consolidation (or series of annexations or consolidations) were done with the requisite unconstitutional intent is a highly fact-specific inquiry.

To assist the State Board, we note that the 2009-2010 enrollment figures provided to us by the Department of Education reflect that the Turrell School District has a student population that is approximately 91% Black and 9% White. The Earle School District has a student population that is approximately 96% Black and 3% White. A combined Turrell-Earle district would have a student population that is approximately 95% Black and 5% White. The other school districts that surround Turrell have varying student racial compositions as follows: (1) East Poinsett County (approximately 9% Black, 85% White), (2) Marion (approximately 40% Black, 56% White), and (3) South Mississippi County (approximately 30% Black, 64% White). As indicated by this data, the other school districts that border Turrell have substantial white populations. In addition, the other school districts that could also potentially share a border with the newly formed Turrell-Earle district have varying student racial compositions as follows: (1) Hughes (approximately 83% Black, 16% White), (2) Marked Tree (approximately 31% Black, 67% White), and (3) Wynne (approximately 32% Black, 65% White). Neither state nor federal law requires the Board to create school districts in a manner that would achieve any particular

¹ Crawfordville School District, which was consolidated with the Marion School District in 2004, was the subject of a desegregation order that was dismissed in 2005. *United States of America v. Crawfordville School District*, United States District Court for the Eastern District of Arkansas, No. 3:66-CV-0038 GTE.

“racial balance” in the student population of a school district.² We note, however, that the proposed annexation of the Turrell district to the Earle district would create or maintain a nearly all-black district bordered by one or more districts with substantial white populations. For this reason, we strongly advise the Board to scrutinize this proposed annexation with great care and to satisfy itself that there are legitimate, non-racially-motivated reasons for the annexation of Turrell to Earle.

Sincerely,

A handwritten signature in black ink that reads "Warren Readnour". The signature is written in a cursive, slightly slanted style.

WARREN T. READNOUR
Senior Assistant Attorney General

² It should be noted that a decision made solely on a racial basis, even for laudable purposes such as diversity in education or the prevention of (re)segregation, would be subject to “strict scrutiny” analysis. *Parents Involved in Community Schools v. Seattle School Dist. No. 1*, 127 S.Ct. 2738 (2007).

BEFORE THE ARKANSAS STATE BOARD OF EDUCATION
IN THE MATTER OF THE CONSOLIDATION OF WICKES SCHOOL DISTRICT OF POLK
COUNTY AND THE VAN COVE SCHOOL DISTRICT OF POLK COUNTY:

PETITION FOR CONSOLIDATION

COMES NOW the Wickes School District of Polk County and the Van Cove School District of Polk County (Petitioners), acting by and through their respective superintendent(s) duly authorized, pursuant to A.C.A. § 6-13-1401 et seq., and petition the Arkansas State Board of Education (Board) to approve the consolidation of the Petitioners in the resulting Cossatot River School District, and hereby would submit to the Board as follows:

1. Pursuant to A.C.A. § 6-13-1401 et seq., the Petitioners hereby submit and incorporate in this Petition as Exhibit A attached hereto, proof of legally binding local board resolutions to consolidate the Wickes and Van Cove School Districts into the resulting Cossatot River School District as approved by a majority of the quorum present of the local boards of education of the respective Petitioners.
2. The Petitioners hereby submit and incorporate in this Petition as Exhibit B attached hereto, proof of public notice of intent to petition this Board to consolidate the Petitioners into the resulting Cossatot River School District. Said public notice of intent to consolidate was published in the local newspaper of general circulation of the affected districts for a time period of no less than once a week for two (2) consecutive weeks immediately prior to the filing of this Petition with this Board.
3. The Petitioners submit that pursuant to A.C.A. §§ 6-13-1405, 1406 and 1413 that following the effective date of consolidation, the resulting Cossatot River School District will establish an interim school board of directors of seven (7) members; the interim board will serve

28-01-10P02945-ARNV

~~29-0907-91945-ARNV~~

mk

until the first regular school election in the year following the effective date of the consolidation with three (3) interim board positions up for election the first September 2010 school board election after the July 1 consolidation, and two (2) other interim board positions up for election in September 2011, and the remaining two (2) interim board positions up for election in September 2012. All board positions shall serve and be elected at-large from the entire Cossatot School District. As soon as possible after July 1, the interim board shall establish either a three (3) or five (5) year term of office for the board of directors of the Cossatot School District.

4. The Petitioners submit that Wickes School District and Van Cove School District are geographically contiguous.

5. Pursuant to A.C.A. § 6-13-1401 et seq., the Petitioners hereby submit and declare that the effective date of the petitioned consolidation shall be July 1, 2010, and that there shall be only one local school board and one local superintendent of the resulting Cossatot River School District.

6. The Petitioners hereby submit an affidavit of facts by the superintendents of the affected school districts, which is incorporated as Exhibit D, concerning the relevant status of any federal court-ordered supervision or jurisdiction of desegregation cases involving the affected districts.

7. It is anticipated that the consolidation of the former Wickes and Van Cove School Districts into the new Cossatot River School District will allow for the creation and establishment of a new high school. It is also anticipated and expected that the new high school will be established and built in the area between Polk County RD 15 and Hickory Creek along Hwy 71S in order to best serve the transportation needs of students from both school districts.

WHEREFORE, Petitioners request that the Board approve the consolidation of the Wickes School District of Polk County and the Van Cove School District of Polk County into the resulting Cossatot River School District; that it issue an Order dissolving the affected school districts and establishing the resulting school district; and that it file its Order with the County Clerk of Polk County.

Respectfully submitted,

Wickes School District
Polk County

By: Megan Witoski 1-21-10
Superintendent Date
Doug Cook 1-21-10
President, School Board Date

Van Cove School District
Polk County

By: Andrew Curry 21 JAN 2010
Superintendent Date
Johnny Dargatzis 21 Jan 2010
President, School Board Date

EXHIBIT ASCHOOL BOARD RESOLUTION

COMES NOW the Wickes School District Board acting by and through its
Superintendent duly authorized and do herein declare:

At the regular school board meeting held on Jan. 21, 2010, wherein a quorum was
present and a majority of the quorum voted to approve the consolidation of the Wickes School
District with the Van Cove School District, and the minutes of said meeting reflect such.
Therefore, this document is to serve as the formal resolution of the Wickes School District Board
of Directors, pursuant to Arkansas law, that consolidation is hereby approved.

Wickes School District
of Polk County

By:

<u>Megan Witek</u>	<u>1-21-10</u>
Superintendent	Date
<u>Doug Curtis</u>	<u>1-21-10</u>
President, School Board	Date

EXHIBIT B

PROOF OF PUBLICATION

(Attach copy of public notice and proof of publication from the newspaper)

Thursday, January 28, 2010

NOTICE OF INTENT TO CONSOLIDATE

Wickes School District of Polk County and Van Cova School District of Polk County, hereinafter referred to as the "Petitioners," provide lawful notice of their intent to file a petition with the Arkansas State Board of Education, requesting approval to consolidate the two school districts. On January 21, 2010, the Wickes School District Board of Directors met and approved, and on January 21, 2010, the Van Cova School District Board of Directors met and approved, and both boards gave notice to the public of their intent to consolidate with one school district. The Superintendent of each school

district has been granted the authority to petition the State Board of Education for consolidation of the respective school district. Said petition shall be filed with the State Board of Education at least thirty days prior to the meeting when the petition will be presented for the consideration of the State Board of Education. Published: 01/28/10 & 02/04/10.

Legals

Notice of Intent to Consolidate

Wickes School District of Polk County and Van Cova School District of Polk County, hereinafter referred to as the "Petitioners," provide lawful notice of their intent to file a petition with the Arkansas State Board of Education, requesting approval to consolidate the two school districts. On January 21, 2010, the Wickes School District Board of Directors met and approved, and on January 21, 2010, the Van Cova School District Board of Directors met and approved, and both boards gave notice to the public of their intent to consolidate with one school district. The Superintendent of each school district has been granted the authority to petition the State Board of Education for consolidation of the respective school district. Said petition shall be filed with the State Board of Education at least thirty days prior to the meeting when the petition will be presented for the consideration of the State Board of Education. See: Jan. 28 and Feb. 4, 2010.

EXHIBIT DAFFIDAVIT CONCERNING DESEGREGATION ORDERS

COMES NOW the Wickes School District Board acting by and through its Superintendent, and hereby states and represents to the State Board of Education that, to the best of my knowledge, the Wickes School District currently is not involved in desegregation litigation in a United States Federal Court or is under the continuing jurisdiction of a United States Federal Court order regarding desegregation of a public school or schools.

Further the affiant sayeth not,

IN WITNESS WHEREOF, I hereunto set my hands this 21st day of January, 2010.

Megan Witoski
Superintendent

County of Polk
State of Arkansas

Sworn and subscribed before me, Notary Public, this 21 day of January, 2010.

Sylvia Lyle
Notary Public

My Commission Expires:

4-14-2013



EXHIBIT A

SCHOOL BOARD RESOLUTION

COMES NOW the Van Cove School District Board acting by and through its Superintendent duly authorized and do herein declare:

At the regular school board meeting held on January 21, 2010 wherein a quorum was present and a majority of the quorum voted to approve the consolidation of the Van Cove School District with the Wickes School District, and the minutes of said meeting reflect such. Therefore, this document is to serve as the formal resolution of the Van Cove School District Board of Directors, pursuant to Arkansas law, that consolidation is hereby approved.

Van Cove School District
of Polk County

By: Andrew Currey 21 Jan 2010
Superintendent Date

Johnny Dyer 21 Jan 2010
President, School Board Date

EXHIBIT D

AFFIDAVIT CONCERNING DESEGREGATION ORDERS

COMES NOW the Van Cove School District Board acting by and through its Superintendent, and hereby states and represents to the State Board of Education that, to the best of my knowledge, the Van Cove School District currently is not involved in desegregation litigation in a United States Federal Court or is under the continuing jurisdiction of a United States Federal Court order regarding desegregation of a public school or schools.

Further the affiant sayeth not,

IN WITNESS WHEREOF, I hereunto set my hands this 21 day of JANUARY,
2010.

Anderson Curry
Superintendent

County of Polk
State of Arkansas

Sworn and subscribed before me, Notary Public, this 21st day of January,
2010.



Regina Foster
Notary Public

My Commission Expires:

2-28-2012

6-13-1401. Definitions.

As used in this subchapter:

(1) "Affected district" means a school district that loses territory or students as a result of annexation or consolidation;

(2) "Annexation" means the joining of an affected school district or part thereof with a receiving district;

(3) "Consolidation" means the joining of two (2) or more school districts or parts thereof to create a new single school district;

(4) "Receiving district" means a school district or districts that receive territory or students, or both, from an affected district as a result of annexation;

(5) "Resulting district" means the new school district created from an affected district or districts as a result of consolidation; and

(6) "State board" means the State Board of Education.

History. Acts 2001, No. 1225, § 1.

6-13-1402. Consolidation and annexation authority.

There shall not be any consolidation or annexation of any public school district with any other school district in the state without the prior consent and approval of the State Board of Education.

History. Acts 2001, No. 1225, § 1.

6-13-1403. Conditions under which the State Board of Education may annex school districts.

(a) The State Board of Education shall consider the annexation of an affected school district or districts to a receiving district or districts under the following conditions:

(1) The state board, after providing thirty (30) days written notice to the affected school districts, determines that annexation is in the best interest of the affected district or districts and the receiving district based upon failure to meet standards for accreditation or failure to meet academic or fiscal distress requirements pursuant to The Quality Education Act of 2003, § 6-15-201 et seq., the Arkansas Comprehensive Testing, Assessment, and Accountability Program Act, § 6-15-401 et seq., and the Arkansas Fiscal Assessment and Accountability Program, § 6-20-1901 et seq.;

(2) (A) The affected district or districts file a petition with the state board requesting annexation to a particular receiving district or districts, and a copy of the petition is filed with the county clerk's office of each county where the affected district or districts are located;

(B) The county clerk's office of each county where the affected district or districts are located certifies in writing that the petition has been signed by a majority of the qualified electors of the affected district or districts; and

(C) The receiving district or districts provide to the state board written proof of consent to receive the affected district or districts by annexation as evidenced by either a vote to approve annexation by resolution by a majority of the members of the local receiving board of education or by a vote to approve annexation by a majority of the qualified electors of the receiving district as provided for in § 6-14-122;

(3) (A) A majority of the qualified electors in the affected district or districts vote to approve the annexation of an affected school district or districts to a receiving district or districts as provided for in § 6-14-122; and

(B) The receiving district or districts provide to the state board written proof of consent to receive the affected district or districts by annexation as evidenced by either a vote to approve annexation by resolution by a majority of the members of the local receiving board of education or by a vote to approve annexation by a majority of the qualified electors of the receiving district as provided in § 6-14-122; or

(4) (A) The local board of education of the affected district or districts votes to approve by resolution the annexation of the affected district or districts to a receiving district or districts by a majority of the members of the local board of education of the affected district or districts; and

(B) The receiving district or districts provide to the state board written proof of consent to receive the affected district or districts by annexation as evidenced by either a vote to approve annexation by resolution by a majority of the members of the local receiving board of education or by a vote to approve annexation by a majority of the qualified electors of the receiving districts as provided for in § 6-14-122.

(b) The state board may vote to approve, by a majority of a quorum present of the members of the state board, the annexation of the affected districts into a receiving district:

(1) The state board, after providing thirty (30) days written notice to the affected districts, may on its own motion based on a school district's failure to meet standards for accreditation or failure to meet academic or fiscal distress requirements pursuant to The Quality Education Act of 2003, § 6-15-201 et seq., the Arkansas Comprehensive Testing, Assessment, and Accountability Program Act, § 6-15-401 et seq., and the Arkansas Fiscal Assessment and Accountability Program, § 6-20-1901 et seq.; or

(2) Upon receipt of a valid petition for annexation and after receiving proof from the petitioning party of at least one (1) of the required conditions set forth in subsection (a) of this section and upon receipt of proof of the issuance of public notice of the intent to annex affected districts into a receiving district or districts in the local newspapers of general circulation in the affected districts for a time period of no less than one time a week for two (2) consecutive weeks immediately prior to the time the petition is filed with the state board.

(c) (1) In order for the petition for annexation to be valid, it shall be filed with the state board at least thirty (30) days prior to the next regularly scheduled state board meeting, at which time the petition will be presented for hearing before the state board.

(2) However, no petition is required for the state board to annex a school district or districts upon a motion of the state board as allowed in subsection (b).

(d) (1) Upon determination by the state board to annex a school district or approval of a petition requesting annexation, the state board shall issue an order dissolving the affected districts and establishing the receiving school district or districts.

(2) (A) The state board shall issue an order establishing the boundary lines of the receiving district or districts.

(B) It shall be the duty of the Department of Education to make changes in the maps of the school districts to properly show the boundary lines of the receiving district or districts.

(e) The state board shall issue an order establishing the changed boundaries and shall file the order with the county clerk or clerks of the county or counties where the receiving district or districts are located. The county clerk shall make a permanent record of the order and, thereafter, the boundaries so established shall be boundaries of the receiving district until changes are made according to the provisions of law.

(f) The state board shall not annex affected districts that are not geographically contiguous unless the following limited conditions are determined to be valid reasons for annexation:

(1) The annexation will result in the overall improvement in the educational benefit to students in all the school districts involved; or

(2) The annexation will provide a significant advantage in transportation costs or service to all the school districts involved.

History. Acts 2001, No. 1225, § 1; 2003, No. 1467, § 19.

6-13-1404. Conditions under which the State Board of Education may consolidate school districts.

(a) The State Board of Education shall consider the consolidation of affected districts into a new resulting district or districts under the following conditions:

(1) The state board, after providing thirty (30) days written notice to the affected school districts, determines consolidation is in the best interest of the affected district or districts and the resulting district based upon failure to meet standards for accreditation or academic or fiscal distress requirements pursuant to The Quality Education Act of 2003, § 6-15-201 et seq., the Arkansas Comprehensive Testing, Assessment, and Accountability Program Act, § 6-15-401 et seq., and the Arkansas Fiscal Assessment and Accountability Program, § 6-20-1901 et seq.; or

(2) (A) The affected districts file a petition with the state board requesting that the affected districts be consolidated into a resulting district or districts;

(B) A copy of the petition has been filed with the county clerk's office of each county where the affected districts are located;

(C) The county clerk's office certifies in writing to the state board that the petition has been signed by a majority of the qualified electors of the affected districts;

(D) A majority of the qualified electors in the affected districts votes to approve consolidation of the affected districts into a resulting district or districts pursuant to a valid election as provided in § 6-14-122; and

(E) The local board of directors votes to approve by resolution of a majority of the members of each local board of education the consolidation of the affected districts into a resulting district or districts.

(b) The state board:

(1) After providing thirty (30) days written notice to the affected districts, may consolidate school districts upon its own motion based upon a school district's failure to meet standards for accreditation or academic or fiscal distress requirements pursuant to The Quality Education Act of 2003, § 6-15-201 et seq., the Arkansas Comprehensive Testing, Assessment, and Accountability Program Act, § 6-15-401 et seq., and the Arkansas Fiscal Assessment and Accountability Program, § 6-20-1901 et seq.; or

(2) May vote to approve by a majority of a quorum present of the members of the state board the consolidation of the affected districts into a resulting district upon receipt of a valid petition for consolidation after receiving proof from the petitioning party of at least one (1) of the required conditions set forth in subsection (a) of this section and upon receipt of proof of the issuance of public notice of the intent to consolidate affected districts into a resulting district or districts in the local newspapers of general circulation in the affected districts for a time period of no less than one time a week for two (2) consecutive weeks immediately prior to the time the petition is filed with the state board.

(c) (1) In order for the petition for consolidation to be valid, it shall be filed with the state board at least <http://staging.arkleg.state.ar.us/NXT/gateway.dll/ARCode/title05150.htm/subtitle05240.ht...> 4/20/2009

thirty (30) days prior to the next regularly scheduled state board meeting, at which time the petition will be presented for hearing before the state board.

(2) However, no petition is required for the state board to consolidate a school district or districts on a motion of the state board as allowed in subsection (b).

(d) (1) Upon consolidation of a school district by the state board or approval of a petition requesting consolidation, the state board shall issue an order dissolving the affected school districts and establishing the resulting school district or districts.

(2) (A) The state board shall issue an order establishing the boundary lines of the resulting district or districts.

(B) It shall be the duty of the Department of Education to make changes in the maps of the school districts to properly show the boundary lines of the resulting district or districts.

(e) (1) The state board shall issue an order establishing the changed boundaries and shall file the order with the county clerk or clerks where the resulting district or districts are located.

(2) The county clerk shall make a permanent record of the order and, thereafter, the boundaries so established shall be boundaries of the resulting district until changes are made according to the provisions of law.

(f) The state board shall not consolidate affected districts that are not geographically contiguous unless the following limited conditions are determined to be valid reasons for consolidation:

(1) The consolidation will result in the overall improvement in the educational benefit to students in all the school districts involved; or

(2) The consolidation will provide a significant advantage in transportation costs or service to all the school districts involved.

History. Acts 2001, No. 1225, § 1; 2003, No. 1467, § 19.

6-13-1405. Effective date of annexation or consolidation.

(a) Upon consolidation or annexation of a school district by the State Board of Education:

(1) The effective date of the annexation or consolidation shall be the July 1 following the state board action unless otherwise determined by the state board;

(2) The state board shall prescribe the number of members of the board of directors of the resulting or receiving district and prescribe the method of forming the board of directors of the resulting or receiving district;

(3) The consolidation or annexation plan adopted by the state board shall be filed with the county clerk of each county that contains territory or a portion of the territory of each affected school district;

(4) All terms and conditions of the consolidation shall be as set forth by the state board and shall be binding on the school districts and the respective boards of directors; and

(5) **(A) (i)** The state board shall afford the local school districts in a consolidation thirty (30) days to establish an interim local board to govern the resulting district pursuant to § 6-13-1406 until the next school election.

(ii) If the consolidation is under § 6-13-1602, the resulting districts shall establish an interim board by May 31 immediately preceding the effective date of consolidation.

(B) If the local school districts fail to establish an interim board, the state board shall appoint an interim local board to serve until the next elected board assumes office.

(C) (i) The interim board shall be made up of board members from the boards of directors of the affected districts.

(ii) The proportion of board members from each of the affected districts shall be equal to the proportion of the student population in the resulting district that came from each affected district.

(b) Upon a petition for consolidation or annexation:

(1) Consolidation shall be the July 1 following the order of the state board directing the annexation or the consolidation, unless the state board determines otherwise;

(2) Each board of directors of the affected districts by majority approval of the members of the local board of directors may enter into a written agreement executed by the former president and secretary of each district. The agreement shall prescribe the date of the annexation of the affected district or districts to the receiving district or the formation of the resulting district from consolidation of affected districts;

(3) The agreement shall also prescribe the number of members of the board of directors of the resulting district as allowed by law; and

(4) An executed copy of the agreement shall be filed with the county clerk of each county that contains territory or a portion of the territory of each affected district.

History. Acts 2001, No. 1225, § 1; 2003, No. 1467, § 19; 2003 (2nd Ex. Sess.), No. 60, § 2.

6-13-1406. Board of directors — Term — Election.

(a) (1) (A) Unless the board of directors of the affected district or districts and the board of directors of the receiving district or districts agree otherwise, the board of directors of the receiving district or districts after annexation shall be the same board of directors of the receiving district prior to annexation until the next regular school election.

(B) (i) In lieu of electing a new board of directors at the next regular school election, the board of directors of the affected district or districts and the board of directors of the receiving district may agree to form an interim board of directors whose members shall serve until the regular school election in the year following the effective date of the annexation.

(ii) (a) If an interim board of directors is formed to serve until the school election in the year following the effective date of the annexation, the interim board of directors shall be composed of the members of the board of directors of the receiving district and at least one (1) member selected by the board of directors of each affected district.

(b) Each member selected from the affected district shall be determined by a vote of the affected board of directors. In the case of a tie vote, the member shall be selected by drawing lots.

(2) The boards of directors of the affected districts may by agreement establish a new board of directors other than the current board of directors of the receiving district composed of not fewer than five (5) nor more than seven (7) directors except for those school districts allowed to do otherwise pursuant to § 6-13-604.

(3) The board of directors of the receiving district created by agreement shall be elected from single-member zones of substantially equal population based upon the most recent census information and from which racial minorities may be represented on the board of directors in proportions reflected in the school district as a whole.

(b) (1) Unless the boards of directors of the affected districts agree otherwise, the board of directors of the resulting district after consolidation shall be composed of seven (7) members until the next regular school election.

(2) The boards of directors of the affected districts may by agreement establish a board of directors of the resulting district composed of not fewer than five (5) nor more than seven (7) directors except for those school districts allowed to do otherwise pursuant to § 6-13-604.

(3) The board of directors of the resulting district shall be elected from single-member zones of substantially equal population based upon the most recent census information and from which racial minorities may be represented on the board of directors in proportions reflected in the school district as a whole.

(c) The length of the term of each member of the board of directors after annexation or consolidation shall be for a time period as allowed by law.

(d) At the first meeting of a new board of directors after annexation or consolidation, the members shall determine their terms by lot so that no more than two (2) members' terms expire during any one (1) year.

(e) Any vacancy on the board of directors shall be filled in the manner provided for by law.

(f) The establishment of a board of directors with an even number of members following annexation or consolidation is hereby prohibited.

History. Acts 2001, No. 1225, § 1; 2003 (2nd Ex. Sess.), No. 25, § 1.

6-13-1407. Creation of a school district — When part of a school district taken.

(a) Any receiving or resulting district created under this section shall become the successor in interest to the property of the school district dissolved, shall become liable for the contracts and debts of such a school district, and may sue and be sued therefor.

(b) When territory less than the entire school district is annexed or consolidated to a school district, the receiving or resulting district shall take the property of the school district from which the territory was taken, as the State Board of Education shall deem proper, and shall be liable for that part of all indebtedness of the school district from which the territory was taken as shall be assigned to it by the state board unless otherwise approved by a majority vote of the affected school district's or districts' board or boards of directors.

History. Acts 2001, No. 1225, § 1.

6-13-1408. Annexation or consolidation not to negatively impact state-assisted desegregation.

(a) The State Board of Education shall not order any annexation or consolidation under this subchapter or any other act or any combination of acts which hampers, delays, or in any manner negatively affects the desegregation efforts of a school district or districts in this state.

(b) Prior to the entry of any order under this subchapter, the state board shall seek an advisory opinion from the Attorney General concerning the impact of the proposed annexation or consolidation on the effort of the state to assist a school district or districts in desegregation of the public schools of this state.

(c) Any order of annexation or consolidation or combination thereof that violates the provisions of this section shall be null and void.

History. Acts 2001, No. 1225, § 1.

6-13-1409. State Board of Education.

(a) The State Board of Education shall have the following duties regarding consolidations and annexations:

(1) To form local school districts, change boundary lines of school districts, dissolve school districts and annex the territory of those school districts to another school district, create new school districts, and perform all other functions regarding changes in school districts in accordance with the law;

(2) To transfer funds and attach territory that is in no school district to other school districts as may seem best for the educational welfare of the children; and

(3) To enact rules and regulations regarding the consolidation and annexation of school districts under this title.

(b) The millage rate of the electors of the affected district shall remain the same until an election may be held to change the rate of taxation for the resulting district or receiving district.

History. Acts 2001, No. 1225, § 1; 2003, No. 1467, § 20.

6-13-1410. Appeal and election.

The decision of the State Board of Education regarding a consolidation or annexation shall be final with no further right of appeal except that an aggrieved school district may appeal to Pulaski County Circuit Court pursuant to the Arkansas Administrative Procedure Act, § 25-15-201 et seq.

History. Acts 2003, No. 1467, § 21.

6-13-1411. Use of fund balances.

(a) Unless otherwise approved by a unanimous vote of the board of directors of the resulting district, the fund balances of any school district that is consolidated, annexed, or otherwise reorganized shall be used by the resulting district solely for the construction of facilities or the operation, maintenance, or support of the schools that were located in the affected school district from which the fund balance was derived if any of the facilities of the affected district from which the fund balance was derived remain open.

(b) The provisions of this section shall not apply if the consolidation or annexation is because of the school district's failure to meet standards for accreditation or failure to meet academic or fiscal distress requirements pursuant to The Quality Education Act of 2003, § ~~6-15-201~~ et seq., the Arkansas Comprehensive Testing, Assessment, and Accountability Program Act, § ~~6-15-401~~ et seq., or the Arkansas Fiscal Assessment and Accountability Program, § ~~6-20-1901~~ et seq.

History. Acts 2003 (2nd Ex. Sess.), No. 71, § 1.

6-13-1412. Board of directors after annexation — Term — Election.

(a) (1) Notwithstanding any other provisions of law, school districts that annex after January 1, 2005, under Acts 2003 (2nd Ex. Sess.), No. 60, and opt to follow the procedures in this section or school districts that voluntarily annex and opt to follow the procedures in this section shall form a new board of directors made up of the board of directors of the receiving district plus at least one (1) member of the board of directors of each affected district as provided under § 6-13-1406(a)(1)(B)(ii).

(2) The board of directors of each affected district shall select by majority vote at least one (1) member to serve on the new board of directors.

(3) In the case of a tie vote on the board of directors of an affected district, the member shall be selected by drawing lots.

(b) (1) School districts that annexed before January 1, 2005, under Acts 2003 (2nd Ex. Sess.), No. 60, and which have an interim board of directors that has not stood for election since the creation of the interim board of directors shall have a board of directors made up of the members of the interim board of directors.

(2) Within thirty (30) days of February 24, 2005, the members of the board of directors shall determine their terms by lot so that no more than three (3) members' terms expire during any one (1) year with no fewer than one (1) member's term expiring at the regular school election in the year following the effective date of the annexation.

(c) (1) In no case shall the interim board of directors or permanent board of directors have:

(A) More than seven (7) or fewer than five (5) members; or

(B) An even number of members.

(2) If the addition of members from the affected district or districts would cause the interim board of directors to be out of compliance with subdivision (c)(1) of this section or if the board of directors decides to reduce the size of the board of directors, the total number of positions held by the members of the receiving district shall be reduced as necessary by:

(A) Voluntary resignation of one (1) or more existing members; or

(B) Drawing lots by the directors of the receiving district prior to annexation.

(d) In lieu of electing a new board of directors at the next regular school election, the members of the interim board of directors created under subsection (a) of this section shall determine their terms by lot so that no more than three (3) members' terms expire during any one (1) year with no fewer than one (1) member's term expiring at the regular school election in the year following the effective date of the annexation.

(e) (1) Unless the school district is allowed to do otherwise pursuant to § 6-13-604, the board of directors of the receiving district after annexation shall be composed of five (5) or seven (7) members as determined by a majority vote of the board of directors of the receiving district, and the determination shall be exempt from the requirements of §§ 6-13-604 and 6-13-606.

(2) (A) The board of directors shall be elected from single-member zones if single-member election zones are necessary to comply with the Voting Rights Act of 1965, as in existence on January 1, 2005, ensuring the protection of the voting rights of minority populations in school districts. Otherwise, the election may be at large for the board of director members whose terms are expiring.

(B) (i) If the board of directors of a school district is required to be elected from single-member zones, the procedure for the election shall be as necessary to comply with the Voting Rights Act of 1965, as in existence on January 1, 2005, and state law.

(ii) The zoning shall be completed no later than one hundred twenty (120) calendar days prior to the second school election following the effective date of the annexation, at which time the full board of directors shall be up for election.

(C) No sanctions provided by state statutory law, specifically including, but not limited to, the sanctions under § 6-13-631(h)(2) or State Board of Education rule shall be levied against a school district if the deadline for zoning allowed under subdivision (e)(2)(B) of this section is met.

(3) (A) (i) If prior to the annexation either the receiving district or the affected district had been zoned as necessary to comply with the Voting Rights Act of 1965, as in existence on January 1, 2005, or state law, the receiving district shall review the makeup and boundaries of the zones and the latest decennial census data of the receiving district.

(ii) After the review required under subdivision (e)(3)(A)(i) of this section, the receiving district shall be rezoned as necessary to comply with the Voting Rights Act of 1965, as in existence on January 1, 2005, and state law.

(B) Any rezoning under subdivision (e)(3)(A)(ii) of this section shall be completed no later than one hundred twenty (120) calendar days prior to the second school election following the effective date of the annexation.

(C) No sanctions provided by state statutory law, specifically including, but not limited to, the sanction under § 6-13-631(h)(2) or State Board of Education rule, shall be levied against a school district if the deadline for rezoning allowed under subdivision (e)(3)(B) of this section is met.

(f) The length of the term of each member of the board of directors after annexation shall be for a time period as determined by the board of directors and allowed by law.

(g) Any vacancy on the board of directors shall be filled in the manner provided for by law.

(h) (1) The provisions of §§ 6-13-1405 and 6-13-1406 with respect to the election of a board of directors following annexation shall not be applicable for school districts annexed under Acts 2003 (2nd Ex. Sess.), No. 60, that follow the procedures in this section or school districts that voluntarily annex and opt to follow the procedures in this section.

(2) However, the State Board of Education shall allow school districts thirty (30) days to establish an interim local board of directors or as incorporated in this section by reference.

History. Acts 2005, No. 274, § 1.

6-13-1413. Board of directors after consolidation — Term — Election.

(a) Notwithstanding any other provision of law, school districts that consolidate after January 1, 2005, under Acts 2003 (2nd Ex. Sess.), No. 60, and that opt to follow the procedures in this section or school districts that voluntarily consolidate and opt to follow the procedures in this section shall form an interim board of directors as provided by §§ 6-13-1405(a)(5) and 6-13-1406(b).

(b) In lieu of electing a new board of directors at the next regular school election, the members of the interim board of directors created under subsection (a) of this section shall determine their terms by drawing lots so that no more than three (3) members' terms expire during any one (1) year with no fewer than one (1) member's term expiring at the regular school election in the year following the effective date of the consolidation.

(c) (1) Unless the school district is allowed to do otherwise pursuant to § 6-13-604, the board of directors of the school district after consolidation shall be composed of five (5) or seven (7) members as determined by a majority vote of the board of directors of the resulting district, and the determination shall be exempt from the requirements of §§ 6-13-604 and 6-13-606.

(2) (A) The board of directors shall be elected from single-member zones if single-member election zones are necessary to comply with the federal Voting Rights Act of 1965, as in effect on January 1, 2005, to ensure the protection of the voting rights of minority populations in school districts. Otherwise, the election may be at large for members of the board of directors whose terms are expiring.

(B) (i) If the board of directors of a school district is to be elected from single-member zones, the school district shall be zoned as necessary to comply with the federal Voting Rights Act of 1965, as in effect on January 1, 2005, and state law.

(ii) The zoning shall be completed no later than one hundred twenty (120) calendar days prior to the second school election following the effective date of the consolidation, at which time the full board of directors shall be up for election.

(C) No sanctions provided by state statutory law, specifically including, but not limited to, the sanctions under § 6-13-631(h)(2) or State Board of Education rule, shall be levied against a school district if the deadline for zoning allowed under subdivision (c)(2)(B) of this section is met.

(3) (A) (i) If prior to the consolidation either of the affected districts had been zoned in compliance with the federal Voting Rights Act of 1965, as in effect on January 1, 2005, or state law, the resulting district shall review the makeup and boundaries of the zones and the latest federal decennial census data of the receiving district.

(ii) After the review required under subdivision (c)(3)(A)(i) of this section, the resulting district shall be rezoned as necessary to comply with the federal Voting Rights Act of 1965, as in effect on January 1, 2005, and state law.

(B) Any rezoning under subdivision (c)(3)(A)(ii) of this section shall be completed no later than one hundred twenty (120) calendar days prior to the second school election following the effective date of the consolidation.

(C) No sanctions under state statutory law, specifically including, but not limited to, the sanctions

under § 6-13-631(h)(2) or State Board of Education rule, shall be levied against a school district if the deadline for rezoning allowed under subdivision (c)(3)(B) of this section is met.

(d) The length of the term of each member of the board of directors after consolidation shall be for a time period as determined by the board of directors and allowed by law.

(e) Any vacancy on the board of directors shall be filled in the manner provided for by law.

(f) The provisions of §§ 6-13-1405 and 6-13-1406 with respect to the election of a board of directors following consolidation shall not be applicable for school districts consolidating under Acts 2003 (2nd Ex. Sess.), No. 60, that follow the procedures in this section or school districts that voluntarily consolidate and opt to follow the procedures in this section. However, the State Board of Education shall allow school districts thirty (30) days to establish an interim local board of directors. If the affected districts fail to establish an interim board of directors as required, the State Board of Education shall appoint an interim local board of directors pursuant to § 6-13-1405 or as incorporated in this section by reference.

(g) (1) Notwithstanding any other provisions of law, school districts that consolidated before January 1, 2005, under Acts 2003 (2nd Ex. Sess.), No. 60, may by majority vote of the board of directors opt to return to at-large elections if the school district:

(A) Was required to establish single-member election zones solely because of the requirements of Acts 2003 (2nd Ex. Sess.), No. 60;

(B) Is not or was not required to establish single-member election zones by any state law other than Acts 2003 (2nd Ex. Sess.), No. 60; and

(C) Is not or was not required to have single-member election zones to comply with the federal Voting Rights Act of 1965, as in effect on January 1, 2005.

(2) Any school district opting to return to at-large elections as allowed under this section shall return to an at-large election over a period of time as each individual member's position comes up for election based on the staggered term of office for each board position as established by the local board of directors.

History. Acts 2005, No. 274, § 2.

6-13-1414. Boundary change by State Board of Education.

(a) (1) The State Board of Education shall consider a petition from a local board of directors of any school district seeking an adjustment or change of boundary lines between its school district and an adjoining school district.

(2) The local board of directors must file the petition with the state board at least thirty (30) days prior to the next regularly scheduled state board meeting, at which time the petition will be presented for hearing before the state board.

(b) Upon proof to the state board of public notice issued in the local newspapers of general circulation in each affected school district no less than one time a week for two (2) consecutive weeks, the state board may, by approval of a majority of the members of a quorum present of the state board, issue an order changing or adjusting the boundary lines between the adjoining school districts.

(c) If the local board of directors of each of the affected school districts is unable to agree on the proposed change in boundary lines, the state board shall adjust and change the boundary lines in accordance with its best judgment subject to the requirement of subsection (f) of this section or shall rule that the boundaries remain unchanged.

(d) Upon an order from the state board to change or adjust boundary lines, it shall be the duty of the Department of Education to immediately make changes in the maps of the school districts of the county to show the changes of boundaries.

(e) The state board shall issue an order establishing the changed boundaries and shall file the order with the county clerk in each county in which every affected school district lies. The county clerk shall make a permanent record of the order, and thereafter the boundaries so established shall be the boundaries of the affected school districts until changes are made according to the provisions of law.

(f) The state board shall not order any change in school district boundaries which hampers, delays, or in any manner negatively affects the desegregation efforts of the public school districts in the State of Arkansas.

History. Acts 2001, No. 1037, § 1.

ARKANSAS DEPARTMENT OF EDUCATION
RULE GOVERNING CONSOLIDATION OR ANNEXATION OF PUBLIC SCHOOL
DISTRICTS AND BOARDS OF DIRECTORS OF LOCAL SCHOOL DISTRICTS
March 13, 2006

1.0 PURPOSE

- 1.01 This rule shall be known as the Arkansas Department of Education Rule Governing the Consolidation and Annexation of Public School Districts.

2.0 AUTHORITY

The State Board of Education's authority for promulgation of this rule is pursuant to Ark. Code Ann. §§ 6-11-105 and 6-13-1401 et seq.

3.0 DEFINITIONS

- 3.01 "Annexation" means the joining of an affected school district or a part of the school district with a receiving district.
- 3.02 "Affected district" means a school district that loses territory or students as a result of annexation or consolidation.
- 3.03 "Consolidation" means the joining of two (2) or more school districts or parts thereof to create a new single school district.
- 3.04 "Petition for annexation" means the official forms and documents published by the Department and hereby attached and incorporated into this rule as Attachment A, which are the official forms and documents necessary for school districts to properly petition the State Board of Education for annexation of a school district or districts into a receiving school district.
- 3.05 "Petition for consolidation" means the official forms and documents published by the Department and hereby attached and incorporated into this rule as Attachment B, which are the official forms and documents necessary for school districts to properly petition the State Board of Education for consolidation of a school district or districts into a resulting school district.
- 3.06 "Receiving district" means a school district or districts that receive territory or students, or both, from an affected district as a result of annexation.
- 3.07 "Resulting district" means the new school district created from an affected district or districts as a result of consolidation.

3.08 "State Board" means the State Board of Education.

4.0 PROCEDURES OF THE STATE BOARD OF EDUCATION CONCERNING
THE ANNEXATION OF SCHOOL DISTRICTS

4.01 There shall not be any annexation of any public school district with any other public school district in the state without the prior consent and approval of the State Board.

4.02 The State Board shall consider the annexation of an affected school district or districts to a receiving district or districts under the following conditions:

4.02.1 The State Board, after providing thirty (30) days written notice to the affected school districts, determines that annexation is in the best interest of the affected district or districts and the receiving district based upon failure to meet standards of accreditation or failure to meet academic or fiscal distress requirements pursuant to The Quality Education Act of 2003, Ark. Code Ann. § 6-15-201 et seq., the Arkansas Comprehensive Testing, Assessment, and Accountability Program Act, Ark. Code Ann. § 6-15-401 et seq., and the Arkansas Fiscal Assessment and Accountability Program, Ark. Code Ann. § 6-20-1901 et seq.;

- (i) The affected district or districts file a petition with the State Board requesting annexation to a particular receiving district or districts, and a copy of the petition is filed with the county clerk's office of each county where the affected district or districts are located;
- (ii) The county clerk's office of each county where the affected district or districts are located certifies in writing that the petition has been signed by a majority of the qualified electors of the district or districts; and
- (iii) The receiving district or districts provide to the State Board written proof of consent to receive the affected district or districts by annexation as evidenced by either a vote to approve annexation by resolution by a majority of the members of the local receiving board of education or by a vote to approve annexation by a majority of the qualified electors of the receiving district as provided for in Ark. Code Ann. § 6-14-122;
- (iv) A majority of the qualified electors in the affected district or districts vote to approve the annexation of an affected school district or districts to a receiving district or districts as provided for in Ark. Code Ann. § 6-14-122; and

- (v) The receiving district or districts provide to the State Board written proof of consent to receive the affected district or districts by annexation as evidenced by either a vote to approve annexation by resolution by a majority of the members of the local receiving board of education or by a vote to approve annexation by a majority of the qualified electors of the receiving district as provided in Ark. Code Ann. § 6-14-122; or
- (vi) The local board of education of the affected district or districts votes to approve by resolution the annexation of the affected district or districts to a receiving district or districts by a majority of the members of the local board of education of the affected district or districts; and
- (vii) The receiving district or districts provide to the State Board written proof of consent to receive the affected district or districts by annexation as evidenced by either a vote to approve annexation by resolution by a majority of the members of the local receiving board of education or by a vote to approve annexation by a majority of the qualified electors of the receiving districts as provided for in Ark. Code Ann. § 6-14-122.

4.03 The State Board may vote to approve, by a majority of a quorum present of the members of the State Board, the annexation of the affected districts into a receiving district, under the following conditions:

- 4.03.1 The State Board, after providing thirty (30) days written notice to the affected school districts, may on its own motion based on a school district's failure to meet standards of accreditation or failure to meet academic or fiscal distress requirements pursuant to The Quality Education Act of 2003, Ark. Code Ann. § 6-15-201 et seq., the Arkansas Comprehensive Testing, Assessment, and Accountability Program Act, Ark. Code. Ann. § 6-15-402 et seq., and the Arkansas Fiscal Assessment and Accountability Program, Ark. Code Ann. § 6-20-1901 et seq.; or
- 4.03.2 Upon receipt of a valid petition for annexation and after receiving proof from the petitioning party of at least one (1) of the required conditions set forth in Section 4.02 of this rule and upon receipt of proof of the issuance of public notice of the intent to annex affected districts into a receiving district or districts in the local newspapers of general circulation in the affected districts for a time period of no less than once a week for two (2) consecutive weeks immediately prior to the time the petition is filed with the State Board.

- 4.04 The petition for annexation filed by a school district must be filed on the attached "Petition for Annexation" form, along with all required attachments, in order for the petition to be considered by the State Board. The petition, with all required attachments, must be submitted to the Office of the Commissioner, Department of Education, #4 Capitol Mall, Little Rock, AR 72201. A school district may attach additional information to the petition form, if necessary, to fully present its information. If mailed, the petition and all required attachments must be sent by certified mail, return receipt requested.
- 4.05 In order for the petition for annexation to be valid, it shall be filed in the Office of the Commissioner at least thirty (30) days prior to the next regularly scheduled State Board meeting, at which time the petition will be presented for hearing before the State Board.
- 4.06 No petition is required to be filed for the State Board to annex a school district or districts upon a motion of the State Board as set forth in Section 4.03.1 of this rule.
- 4.07 The State Board shall give at least five (5) calendar days advance written notice from the date of receipt to a petitioning school district of the date, time and place of the State Board meeting at which its petition will be considered. Notice may be provided via U.S. mail, facsimile or ADE electronic Commissioner's Memo.
- 4.08 At the hearing before the State Board, the order of presentation shall be as follows:
- A) Remarks by petitioning school districts' spokesperson(s);
 - B) Remarks by opposing school districts and citizen's groups' spokesperson(s);
 - C) Closing remarks by opposing school districts and citizen's groups' spokesperson(s);
 - D) Closing remarks by petitioning school districts' spokesperson
- 4.09 Each petitioning school district shall have twenty (20) minutes to present the district's remarks. The district may allocate its time to one (1) or more spokespersons, but the total time allocated should not exceed twenty (20) minutes. In its sole discretion, the State Board may allow a district's spokesperson(s) more than twenty (20) minutes to speak.
- 4.10 Any school district or group of citizens, which opposes a petition, shall have the opportunity to present its opposition to the State Board. The State Board may, on its own motion, choose to hear from more than one (1) spokesperson per opposing school district or group of citizens. However, the spokesperson(s) representing the opposing school districts(s)

or group of citizens shall have a total time allocated not to exceed twenty (20) minutes. In its sole discretion, the State Board may allow the spokesperson(s) more than twenty (20) minutes to speak.

- 4.11 Both the district and the opposition shall be given ten (10) minutes to present closing remarks to the State Board, allocated among one (1) or more spokesperson(s) as each side sees fit.
- 4.12 Time taken by a spokesperson to respond to a question by a State Board member shall not count against the respective side's time allotment.
- 4.13 Any documents to be considered by the State Board shall be submitted via first class mail to the Commissioner's Office at least three (3) business days prior to the State Board hearing of the petition for annexation.
- 4.14 The State Board shall issue a written decision approving the annexation requested in the petition, if the petition is granted. If the State Board denies a petition, it shall issue a written decision stating the reasons for such denial.
- 4.15 Under no circumstances shall the State Board be obligated to grant a petition where to do so would hamper, delay, or in any manner negatively affect the desegregation efforts of any school district or districts in the state, including school districts which are not petitioners for the annexation before the State Board.

5.0 PROCEDURES OF THE STATE BOARD OF EDUCATION CONCERNING
THE CONSOLIDATION OF SCHOOL DISTRICTS

- 5.01 There shall not be any consolidation of any public school district with any other public school district in the state without the prior consent and approval of the State Board.
- 5.02 The State Board shall consider the consolidation of an affected school district or districts to a resulting district or districts under the following conditions:
 - 5.02.1 The State Board, after providing thirty (30) days written notice to the affected school districts, determines that consolidation is in the best interest of the affected district or districts and the resulting district based upon failure to meet standards of accreditation or failure to meet academic or fiscal distress requirements pursuant to The Quality Education Act of 2003, Ark. Code Ann. § 6-15-201 et seq., the Arkansas Comprehensive Testing, Assessment, and Accountability Program Act, Ark. Code Ann. § 6-15-401 et seq.,

and the Arkansas Fiscal Assessment and Accountability Program, Ark. Code Ann. § 6-20-1901 et seq.; or

- (i) The affected districts file a petition with the State Board requesting that the affected districts be consolidated into a resulting district or districts, and a copy of the petition is filed with the county clerk's office of each county where the affected districts are located;
- (ii) The county clerk's office of each county where the affected district or districts are located certifies in writing that the petition has been signed by a majority of the qualified electors of the affected districts; and
- (iii) A majority of the qualified electors in the affected districts vote to approve the consolidation of the affected districts into a resulting district or districts pursuant to a valid election as provided in Ark. Code Ann. § 6-14-122; and
- (iv) The local board of directors votes to approve by resolution of a majority of the members of each local board of education the consolidation of the affected districts into a resulting district or districts.

5.03 The State Board may vote to approve, by a majority of a quorum present of the members of the State Board, the consolidation of the affected districts into a resulting district under the following conditions:

5.03.1 The State Board, after providing thirty (30) days written notice to the affected schools, may on its own motion based on a school district's failure to meet standards of accreditation or failure to meet academic or fiscal distress requirements pursuant to The Quality Education Act of 2003, Ark. Code Ann. § 6-15-201 et seq., the Arkansas Comprehensive Testing, Assessment, and Accountability Program Act, Ark. Code Ann. § 6-15-401 et seq., and the Arkansas Fiscal Assessment and Accountability Program, Ark. Code Ann. § 6-20-1901 et seq.; or

5.03.2 Upon receipt of a valid petition for consolidation and after receiving proof from the petitioning party of at least one (1) of the required conditions set forth in Section 5.02 of this rule and upon receipt of proof of the issuance of public notice of the intent to consolidate affected districts into a resulting district in the local newspapers of general circulation in the affected districts for a time period of no less than once a week for two (2) consecutive weeks immediately prior to the time the petition is filed with the State Board.

5.04 The petition for consolidation filed by a school district must be filed on the attached "Petition for Consolidation" form along with all required attachments, in order for the petition to be considered by the State Board. The petition, with all required attachments, must be submitted to the

Office of the Commissioner, Arkansas Department of Education, #4 Capitol Mall, Little Rock, AR 72201. A school district may attach additional information to the petition form, if necessary, to fully present its information. If mailed, the petition and all required attachments must be sent by certified mail, return receipt requested.

- 5.05 In order for the petition for consolidation to be valid, it shall be filed in the Office of the Commissioner at least thirty (30) days prior to the next regularly scheduled State Board meeting, at which time the petition will be presented for hearing before the State Board.
- 5.06 No petition is required to be filed for the State Board to consolidate a school district or districts upon a motion of the State Board and as set forth in Section 5.03.1 of this Rule.
- 5.07 The State Board shall give at least five (5) calendar days advance written notice from the date of receipt to a petitioning school district of the date, time and place of the State Board meeting at which its petition will be considered. Notice may be provided via U.S. mail, facsimile or ADE electronic Commissioner's Memo.
- 5.08 At the hearing before the State Board, the order of presentation shall be as follows:
 - A) Remarks by petitioning school districts' spokesperson(s);
 - B) Remarks by opposing school districts and citizen's groups' spokesperson(s);
 - C) Closing remarks by opposing school districts and citizen's groups' spokesperson(s);
 - D) Closing remarks by petitioning school districts' spokesperson
- 5.09 Each petitioning school district shall have twenty (20) minutes to present the district's remarks. The district may allocate its time to one (1) or more spokespersons, but the total time allocated should not exceed twenty (20) minutes. In its sole discretion, the State Board may allow a district's spokesperson(s) more than twenty (20) minutes to speak.
- 5.10 Any school district or group of citizens, which opposes a petition, shall have the opportunity to present its opposition to the State Board. The State Board may, on its own motion, choose to hear from more than one (1) spokesperson per opposing school district or group of citizens. However, the spokesperson(s) representing the opposing school districts(s) or group of citizens shall have a total time allocated not to exceed twenty (20) minutes. In its sole discretion, the State Board may allow the spokesperson(s) more than twenty (20) minutes to speak.

- 5.11 Both the district and the opposition shall be given ten (10) minutes to present closing remarks to the State Board, allocated among one (1) or more spokesperson(s) as each side sees fit.
- 5.12 Time taken by a spokesperson to respond to a question by a State Board member shall not count against the respective side's time allotment.
- 5.13 Any documents to be considered by the State Board shall be submitted via first class mail to the Commissioner's Office at least three (3) business days prior to the State Board hearing of the petition for consolidation.
- 5.14 The State Board shall issue a written decision approving the consolidation requested in the petition, if the petition is granted. If the State Board denies a petition, it shall issue a written decision stating the reasons for such denial.
- 5.15 Under no circumstances shall the State Board be obligated to grant a petition where to do so would hamper, delay, or in any manner negatively affect the desegregation efforts of any school district or districts in the state, including school districts which are not petitioners for the consolidation before the State Board.

6.0 STATE BOARD OF EDUCATION ACTION ON PETITIONS FOR ANNEXATIONS AND CONSOLIDATIONS

- 6.01 Prior to the entry of any order approving a petition for consolidation or annexation, the State Board shall seek an advisory opinion from the Attorney General concerning the impact of the proposed annexation or consolidation on the effort of the state to assist a district or districts in desegregation of the public schools of this state.
- 6.02 In addition to all other requirements in this rule, the State Board shall not approve any petition nor order any annexation or consolidation of school districts when the effect of such annexation or consolidation hampers, delays, or in any manner negatively affects the desegregation efforts of a school district or districts in this state.
- 6.03 Upon the annexation or consolidation of school districts by the State Board's own motion, or by the approval of a petition requesting annexation or consolidation, the State Board shall issue an order containing, but not limited to, the following:
 - 6.03.1 Dissolving the affected school districts and establishing the receiving or resulting district or districts;
 - 6.03.2 Establishing the boundary lines of the receiving or resulting district or districts;

6.03.3 Directing the Department of Education to make changes in the maps of the school districts to properly show the boundary lines of the receiving or resulting district or districts.

6.04 The State Board shall also issue an order establishing the changed boundaries and shall file the order with the county clerk or clerks where the receiving or resulting district or districts are located.

6.05 The county clerk shall make a permanent record of the order described in Section 6.04 of this Rule, above, and, thereafter, the boundaries so established shall be the boundaries of the receiving or resulting district until changes are made according to the provisions of law.

6.06 The State Board shall neither annex nor consolidate affected districts that are not geographically contiguous unless the following limited conditions are determined to be valid reasons for annexation or consolidation:

- (1) The annexation or consolidation will result in the overall improvement in the educational benefit to students in all the school districts involved; or
- (2) The annexation or consolidation will provide a significant advantage in transportation costs or service to all the school districts involved.

7.0 GENERAL PROVISIONS GOVERNING CONSOLIDATIONS OR ANNEXATIONS

7.01 All consolidations or annexations shall be accomplished so as not to create a school district that hampers, delays, or in any manner negatively affects the desegregation of another school district in this state.

7.02 The millage rate of the electors of the affected districts of a consolidation or annexation shall remain the same until an election may be held to change the rate of taxation for the resulting or receiving district.

7.03 Upon the State Board's approval of a petition for annexation or consolidation or the approval of an annexation or consolidation pursuant to the State Board's own motion, the effective date of the annexation or consolidation shall be the July 1 following the order of the State Board directing the annexation or consolidation, unless the State Board determines otherwise.

8.0 BOARDS OF DIRECTORS OF LOCAL SCHOOL DISTRICTS

8.01 The State Board shall afford the school districts involved in an annexation or consolidation thirty (30) days from the date of its order granting the annexation or consolidation to establish an interim board to govern the

receiving or resulting district, with the interim board to be selected pursuant to the provisions of either Ark. Code Ann. §§ 6-13-1405, 6-13-1406, 6-13-1412 or 6-13-1413.

- 8.02 The provisions of Ark. Code Ann. §§ 6-13-1405, 6-13-1406, 6-13-1412 and 6-13-1413 shall govern the board of directors of each resulting or receiving school district created from an annexation or consolidation.
- 8.03 All boards of directors of local school districts shall be made up on five (5), seven (7) or nine (9) members as allowed by law, unless the school district is under a valid court order otherwise directing the number and composition of the local board.
- 8.04 No board of directors shall have an even number of directors whether or not the number of directors of a school district's board of directors was established by an agreement between or among the former school districts, which comprise the school district incident to a consolidation or annexation of the former school districts.



ARKANSAS DEPARTMENT OF EDUCATION

Dr. Tom W. Kimbrell
Commissioner

February 24, 2010

**State Board
of Education**

Dr. Naccaman Williams
Springdale
Chair

Jim Cooper
Melbourne
Vice Chair

Sherry Burrow
Jonesboro

Brenda Gullett
Fayetteville

Sam Ledbetter
Little Rock

Alice Mahony
El Dorado

Dr. Ben Mays
Clinton

Toyce Newton
Crossett

Megan Witonski
Superintendent
Wickes School District
130 School Drive
Wickes, AR 71973

Andrew Curry
Superintendent
Van Cove School District
110 South Fifth Street
Cove, AR 71937

Re: Petition for Voluntary Consolidation of the Wickes School District with the
Van Cove School District

Dear Ms. Witonski and Mr. Curry:

This letter is to notify you that the State Board of Education (Board) will hold a hearing on the Petition for the Voluntary Consolidation of the Wickes School District with the Van Cove School District on Monday, March 8, 2010, at 9:00 a.m. in the Auditorium of the Arch Ford Education Building, Four Capitol Mall, Little Rock, Arkansas.

As representative of the Wickes and Van Cove School Districts, you, along with any School Board members or other representatives of your districts, are requested to attend the hearing to address any questions of the State Board.

Should you have any questions or comments, please contact my office at 501-682-4227.

Sincerely,

Jeremy C. Lasiter
General Counsel

cc: Dr. Tom Kimbrell, Commissioner of Education
State Board Office
Rep. Bill Abernathy
Rep. Steve Cole
Rep. Randy Stewart
Senator Steve Faris
Senator Larry Teague

Four Capitol Mall
Little Rock, AR
72201-1019
(501) 682-4475
ArkansasEd.org



ARKANSAS DEPARTMENT OF EDUCATION

Dr. Tom W. Kimbrell
Commissioner

February 24, 2010

**State Board
of Education**

Dr. Naccaman Williams
*Springdale
Chair*

Jim Cooper
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Sherry Burrow
Jonesboro

Brenda Gullett
Fayetteville

Sam Ledbetter
Little Rock

Alice Mahony
El Dorado

Dr. Ben Mays
Clinton

Toyce Newton
Crossett

Paul E. Shelton, Superintendent
Caddo Hills School District
2268 Highway 8 East
Norman, AR 72364

Bill Blackwood, Superintendent
DeQueen School District
P. O. Box 950
DeQueen, AR 71832

Donnie Davis, Superintendent
Dierks School District
P. O. Box 124
Dierks, AR 71833

Jeff Alexander, Superintendent
Kirby School District
P. O. Box 9
Kirby, AR 71950

Dr. Diann Gathright, Superintendent
Mena School District
501 Hickory Street
Mena, AR 71953

Re: Petition for Voluntary Consolidation of the Wickes School District with the Van Cove School District

Dear Superintendents:

This letter is to notify you that the State Board of Education (Board) will hold a hearing on the petition of the Wickes School District to be consolidated with the Van Cove School District on Monday, March 8, 2010, at 9:00 a.m. in the Auditorium of the Arch Ford Education Building, Four Capitol Mall, Little Rock, Arkansas.

As representatives of the school districts that are contiguous to the Wickes and Van Cove Districts, you are invited and encouraged to attend the hearing to address any possible questions of the State Board.

Should you have any questions or comments, please contact my office at 501-682-4227.

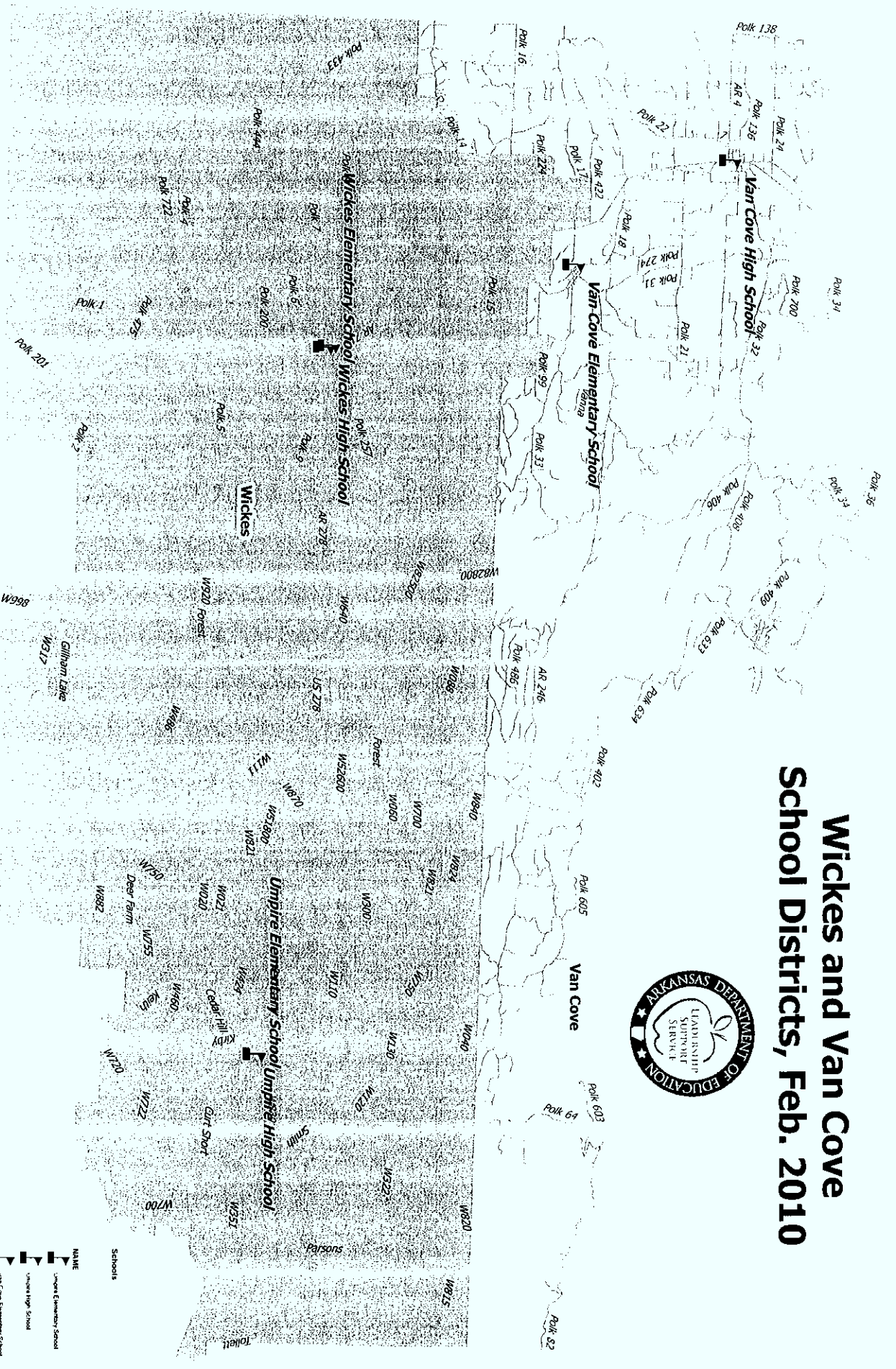
Sincerely,

Jeremy C. Lasiter
General Counsel

Four Capitol Mall
Little Rock, AR
72201-1019
(501) 682-4475
ArkansasEd.org

cc: Dr. Tom Kimbrell, Commissioner of Education
State Board Office

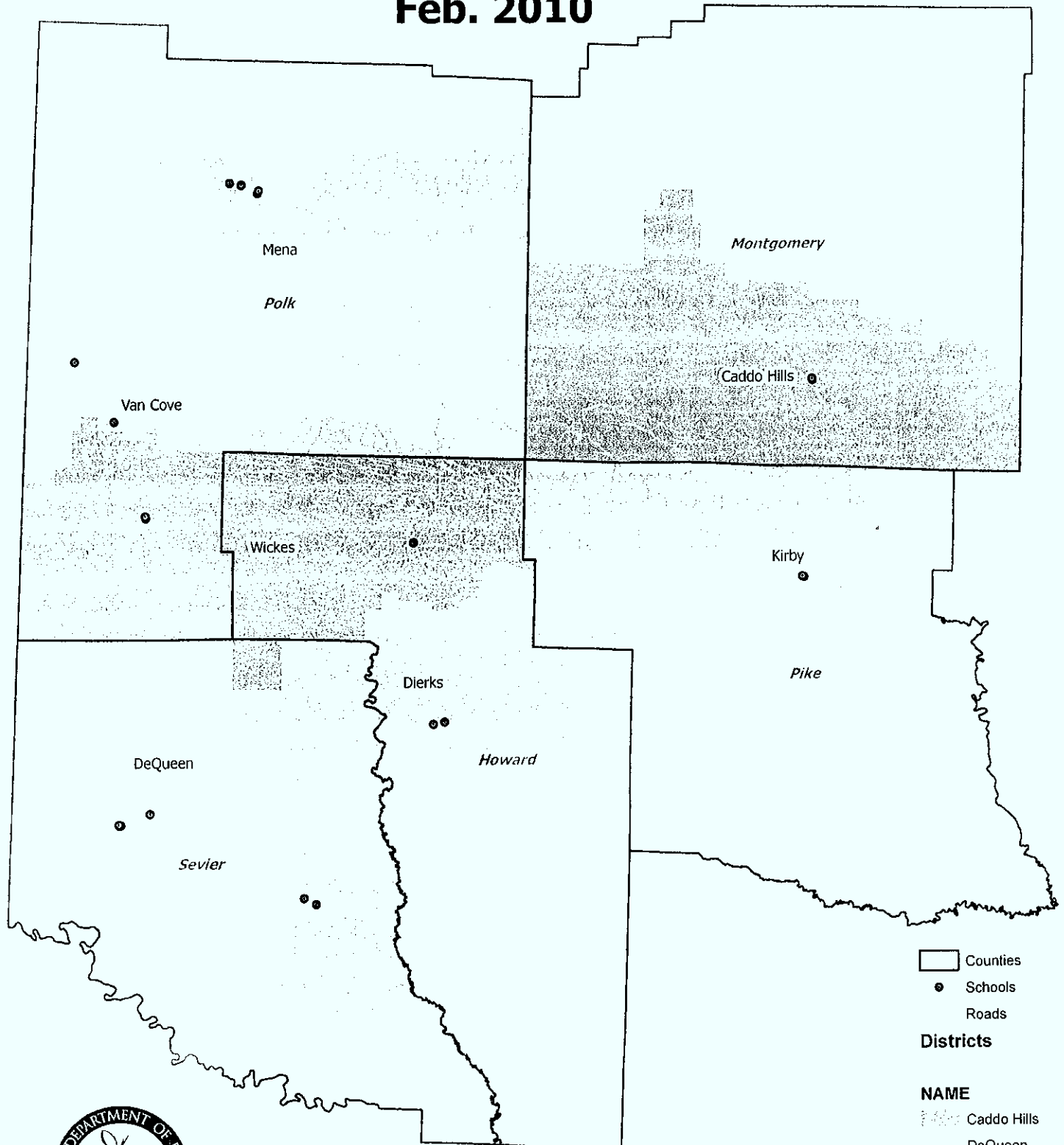
Wickes and Van Cove School Districts, Feb. 2010



NAME	School Districts
Umpire Elementary School	Umpire Elementary School
Umpire High School	Umpire High School
Van Cove Elementary School	Van Cove Elementary School
Van Cove High School	Van Cove High School
Wickes Elementary School	Wickes Elementary School
Wickes High School	Wickes High School

Wickes, Van Cove and Area School Districts

Feb. 2010



Counties
 Schools
 Roads

Districts

NAME

Caddo Hills
 DeQueen
 Dierks
 Kirby
 Mena
 Van Cove
 Wickes



LEA	DISTRICT	COUNTY	DATED	TYPE	PURPOSE	RATE	LUNKENI BALANCE OF ISSUE	MATURITY	TOTAL 09 10 PAYMENT	TOTAL 10 11 PAYMENT	TOTAL 11 12 PAYMENT	TOTAL 12 13 PAYMENT	TOTAL 13 14 PAYMENT
57-05	Wickes	Polk	09/01/2003	Commercial Bond	Voted Refunding	6.25%	80,000.00	Feb 2013	25,000.00	23,750.00	22,500.00	21,250.00	0.00
57-05	Wickes	Polk	07/01/2007	Commercial Bond	2nd Lien Construction	3.85% - 4.30%	925,000.00	Feb 2028	73,412.50	72,065.00	70,665.00	69,265.00	72,865.00
57-05	Wickes	Polk	02/01/2008	Commercial Bond	2nd Lien Construction	2.50% - 3.25%	455,000.00	Feb 2018	58,618.76	57,493.76	56,368.76	60,018.76	58,518.76
57-05	Wickes	Polk	02/01/2008	Commercial Bond	2nd Lien Construction	2.90% - 4.00%	485,000.00	Feb 2028	37,395.00	36,815.00	36,235.00	35,655.00	35,075.00
57-05	Wickes	Polk	03/01/2009	Commercial Bond	Refunding	1.50% - 4.25%	2,765,000.00	Feb 2028	82,532.08	165,035.00	198,910.00	201,985.00	219,857.50
57-05	Wickes	Polk	06/18/2001	Lease Purchase	Energy Conservation	6.50%	3,965.97	Jun 2011	2,817.74	2,817.74	0.00	0.00	0.00
57-05	Wickes	Polk	10/15/2007	Revolving Loan	Construction	4.950%	71,343.00	May 2012	27,312.48	26,135.31	24,961.39	0.00	0.00
Totals									307,088.56	384,111.81	409,640.15	388,173.76	386,316.26

LEA	DISTRICT	COUNTY	DATED	TYPE	PURPOSE	RATE	BALANCE OF ISSUE	MATURITY	TOTAL 09 10 PAYMENT	TOTAL 10 11 PAYMENT	TOTAL 11 12 PAYMENT	TOTAL 12 13 PAYMENT	TOTAL 13 14 PAYMENT
57-04	Van-Cove	Polk	11/01/2007	Commercial Bond	Voted Construction Refunding	3.60% - 4.35%	2,045,000.00	Jun 2037	124,755.00	128,315.00	126,695.00	125,075.00	128,387.50
57-04	Van-Cove	Polk	07/01/2009	Commercial Bond	Voted Construction	3.25% - 5.00%	585,000.00	Jun 2037	36,627.08	40,287.50	39,800.00	39,312.50	38,825.00
57-04	Van-Cove	Polk	07/20/2009	Lease Purchase	School Buses	4.90%	124,065.00	Jul 2019	0.00	16,884.92	16,884.92	16,884.92	16,884.92
Totals									161,382.08	185,487.42	183,379.92	181,272.42	184,097.42

Funding Calculation Estimates for Van Cove and Wickes School Districts if Consolidated/Annexed in fiscal year 2009-10

Funding calculations provided are estimates and are subject to change. Not all funding categories are listed.

Estimated Incentive Funding - FY10 per student amount				
LEA NO.	County	School District	FY09 3-Qtr ADM	First Year FY10 Second Year FY11 1st yr x .50
5704	POLK	VAN COVE	423.91	1,771,500.00 885,750.00
5705	POLK	WICKES	698.32	0.00 0.00
Totals			1,122.23	1,771,500.00 885,750.00
Total years one and two				2,657,250.00

FY11 per student amount		
First Year FY11	Second Year FY12	1st yr x .50
\$6,023.00	903,450.00	0.00
1,806,900.00	903,450.00	0.00
1,806,900.00	903,450.00	0.00
2,710,350.00		

LEA NO.	County	School District	2008 Assessment	FY09 3-Qtr ADM as of 7/28/09	5 Yr Avg Misc at URT FY04 to FY08	URT at 98% collection rate	URT at 98% plus 5 yr Avg Misc	Local Revenue per ADM	Foundation Funding per ADM State	SWI
5704	POLK	VAN COVE	15,771,113	423.91	59,129.56	386,392.27	445,521.83	1,050.98	4,854.02	0.78348
5705	POLK	WICKES	35,020,460	698.32	13,409.39	858,001.27	871,410.66	1,247.87	4,657.13	0.73205
Total after consolidation/annexation			50,791,573	1,122.23	72,538.94	1,244,393.54	1,316,932.48	1,173.50	4,731.50	0.75198

*Professional development rate not rounded.

LEA NO.	County	School District	State Foundation Funds	Enhanced Educational Funding	*Professional Development Funding	Gen Facilities base yr less 4/10 base yr	FY10 SMIF base yr less 4/10 base yr
5704	POLK	VAN COVE	2,057,666.72	14,836.85	17,518.06	5,721.60	29,110.02
5705	POLK	WICKES	3,252,168.94	24,441.20	28,858.04	8,967.60	37,817.40
Total before/after consolidation/annexation			5,309,835.67	39,278.05	46,376.10	14,689.20	66,927.42

Bonded debt assistance calculated with same misc funds data used to calculate foundation funding.

LEA NO.	County	School District	FY10 Debt Payment	% Debt Pmt Adjustment	FY10 Adjusted Debt Payment	FY10 Required Debt Svc Mills	FY10 Bonded Debt Assistance	Bond Balance - as of 1/1/05	Bond Maturity
5704	POLK	VAN COVE	112,400.00	100.00%	112,400.00	7.12695	42,677.84	1,575,000	FY27
5705	POLK	WICKES	224,838.76	90.00%	202,354.88	5.77819	53,257.93	3,225,000	FY28
Total after consolidation/annexation			337,238.76	93.28%	314,580.53	6.19356	94,237.87		
Total before consolidation/annexation					314,754.88		95,935.76		

Van Cove is in NSLA transition. NSLA transition is not considered in the post-consolidation/annexation calculation.

LEA NO.	County	School District	Oct-08 Enrollment Calculated	Oct-08 FREE	Oct-08 REDUCED	Oct-08 TOTAL F&R	Oct-08 PAID	Oct-08 F&R %	Oct-08 Adjusted F&R %	In transition pre cons/annx FY10 revised NSLA funding	Not in transition post cons/annx FY10 NSLA
5704	POLK	VAN COVE	418.00	218	80	298.00	120.00	71.3%	71.00%	197,076.34	295,616.00
5705	POLK	WICKES	702.00	375	127	502.00	200.00	71.3%	71.00%	497,984.00	497,984.00
Total after consolidation/annexation			1,120.00	593	207	800.00	320.00	71.3%	71.00%	695,060.34	793,600.00
Total before consolidation/annexation											

Funding Calculations: Estimates for Van Cove and Wickes School Districts if Consolidated/Annexed in fiscal year 2009-10

Funding calculations provided are estimates and are subject to change. Not all funding categories are listed.

LEA NO.	County	District	Oct-05 Enrolled	Oct-06 Enrolled	Oct-07 Enrolled	Oct-08 Enrollment Calculated	Percent Change in Enrollment			FY10 3 Yr Avg Growth if 1% or more in each of 3 yrs	FY10 Total NSLA Growth Funding
5704	POLK	VAN COVE	463.00	454.00	407.00	418.00	-1.94%	-10.35%	2.70%	0.00	0.00
5705	POLK	WICKES	692.00	697.00	724.00	702.00	0.72%	3.87%	-3.04%	0.00	0.00
Total after consolidation/annexation			1,155.00	1,151.00	1,131.00	1,120.00	-0.35%	-1.74%	-0.97%	0.00	0.00

LEA NO.	County	School District	2008 M&O Mills	2008 Dedicated M&O Mills	2008 Debt Service Mills	2008 Total Mills	FY09 FWI - District Share of Participation	FY09 FWI - State Share of Participation	FY10 FWI - District Share of Participation	FY10 FWI - State Share of Participation
5704	POLK	VAN COVE	31.90	0.00	13.00	44.90	0.27673	0.72327	0.26895	0.73105
5705	POLK	WICKES	25.00	0.00	14.20	39.20	0.35099	0.64901	0.36319	0.63881

Data used to calculate student growth funding for fiscal year 2009-2010 is estimated for quarters 2, 3, and 4 pursuant to Act 1501 of 2009.

LEA NO.	County	School District	FY08 3-Qtr ADM as of 9/11/08	FY09 Qtr 1 ADM	FY09 Qtr 2 ADM	FY09 Qtr 3 ADM	FY09 Qtr 4 ADM	FY10 Qtr 1 ADM	FY10 3-Qtr ADM	FY09 ADM % of Qtr 1	FY10 ADM % of Qtr 1	FY09 ADM % of Qtr 1	FY10 ADM % of Qtr 1
5704	POLK	VAN COVE	411.52	418.36	421.93	431.47	427.51	416.41	423.91	100.85%	103.13%	103.13%	102.19%
5705	POLK	WICKES	715.05	697.67	703.70	694.19	703.55	733.79	698.32	100.86%	99.50%	99.50%	100.84%
Total after consolidation/annexation			1,126.57	1,116.03	1,125.63	1,125.66	1,131.06	1,150.20	1,122.23	100.86%	100.86%	100.86%	101.35%

Estimated student growth funding is greater than declining enrollment, so declining enrollment funding has been marked through.

LEA NO.	County	School District	FY10 Est. Qtr 2 fr FY09 % change	FY10 Est. Qtr 3 fr FY09 % change	FY10 Est. Qtr 4 fr FY09 % change	ACTUAL Increase in FY10 Q1 ADM fr FY09 3Q ADM	ESTIMATE Increase in FY10 Q2 est ADM fr FY09 3Q ADM	ESTIMATE Increase in FY10 Q3 est ADM fr FY09 3Q ADM	ESTIMATE Increase in FY10 Q4 est ADM fr FY09 3Q ADM	FY10 Estimated SGF Qtrs 2,3,4 and SGF Qtr 1	FY10 Declining Enrollment
5704	POLK	VAN COVE	419.96	429.46	425.52	0.00	0.00	5.55	1.61	10,564.41	0.00
5705	POLK	WICKES	740.13	730.13	739.97	35.47	41.81	31.81	41.65	222,539.43	-49,396.32
Total after consolidation/annexation			1,160.09	1,160.12	1,165.69	27.97	37.86	37.89	43.46	217,287.69	-49,396.32
Total before consolidation/annexation										233,103.84	

LEA NO.	County	School District	FY10 Declining Enrollment	FY08 3-Qtr ADM	Diff in FY08 ADM 3Q and FY09 ADM 3Q
5704	POLK	VAN COVE	0.00	411.52	-12.39
5705	POLK	WICKES	-49,396.32	715.05	16.73
Total after consolidation/annexation			-42,813.85	1,126.57	4.34

District LEA	5704000	5705000
District Description	VAN COVE SCHOOL DISTRICT	WICKES SCHOOL DISTRICT
FY-07 Legal Balance	1,222,398.08	1,226,531.58
FY-07 Restricted SOF	19,936.80	143,107.73
FY-07 Deposits with Paying Agents	0.00	0.00
FY-07 Current Loans	0.00	0.00
FY-07 Unrestricted Legal Balance	1,202,461.28	1,083,423.85
FY-08 Legal Balance	1,013,414.90	1,056,494.66
FY-08 Restricted SOF	13,658.76	271,816.65
FY-08 Deposits with Paying Agents	0.00	0.00
FY-08 Current Loans	0.00	0.00
FY-08 Unrestricted Legal Balance	999,756.14	784,678.01
FY-09 Legal Balance	813,151.31	650,013.31
FY-09 Restricted SOF	8,230.99	153,164.58
FY-09 Deposits with Paying Agents	0.00	0.00
FY-09 Current Loans	0.00	0.00
FY-09 Unrestricted Legal Balance	804,920.32	496,848.73
BUDGET:		
FY-10 Legal Balance	636,454.38	317,845.39
FY-10 Restricted SOF	(10,965.11)	(166,740.93)
FY-10 Deposits with Paying Agents	0.00	0.00
FY-10 Current Loans	0.00	0.00
FY-10 Unrestricted Legal Balance	625,489.27	151,104.46

Arkansas Department of Education

Historical Review of Selected Data

	Van Cove			Wickes		
	06-07	07-08	08-09	06-07	07-08	08-09
*ADM (3 QTR)	448	412	424	697	715	698
*Total Assessment	14,393,708	15,338,630	15,771,113	30,295,381	31,689,088	35,020,460
Total Expenditures	3,855,181	4,086,927	4,981,721	7,064,230	9,386,221	8,265,173
Per Pupil Expenditures	7,945	9,124	8,723	9,206	9,708	10,117
Total Mills	39.90	44.90	44.90	39.20	39.20	39.20
*Total Debt	1,568,183	2,199,410	2,144,866	3,013,435	4,944,972	4,786,549
*Certified FTE's	40.87	40.61	36.94	71.08	72.95	75.06
*Average Teacher Salary	36,013	37,224	40,773	39,921	43,750	43,233
*Free & Reduced Lunch			75.77%			100.00%
Mileage Van Cove to Wickes	11.43 Miles					

*Actual fiscal year three quarter average.

Total Debt includes Bonded and Non-bonded filed with ADE.

Certified FTE's is the Total Non-Federal Certified FTE's.

Average Salary includes Non-Federal Certified Classroom FTE's.

Wickes School District is Provision 2

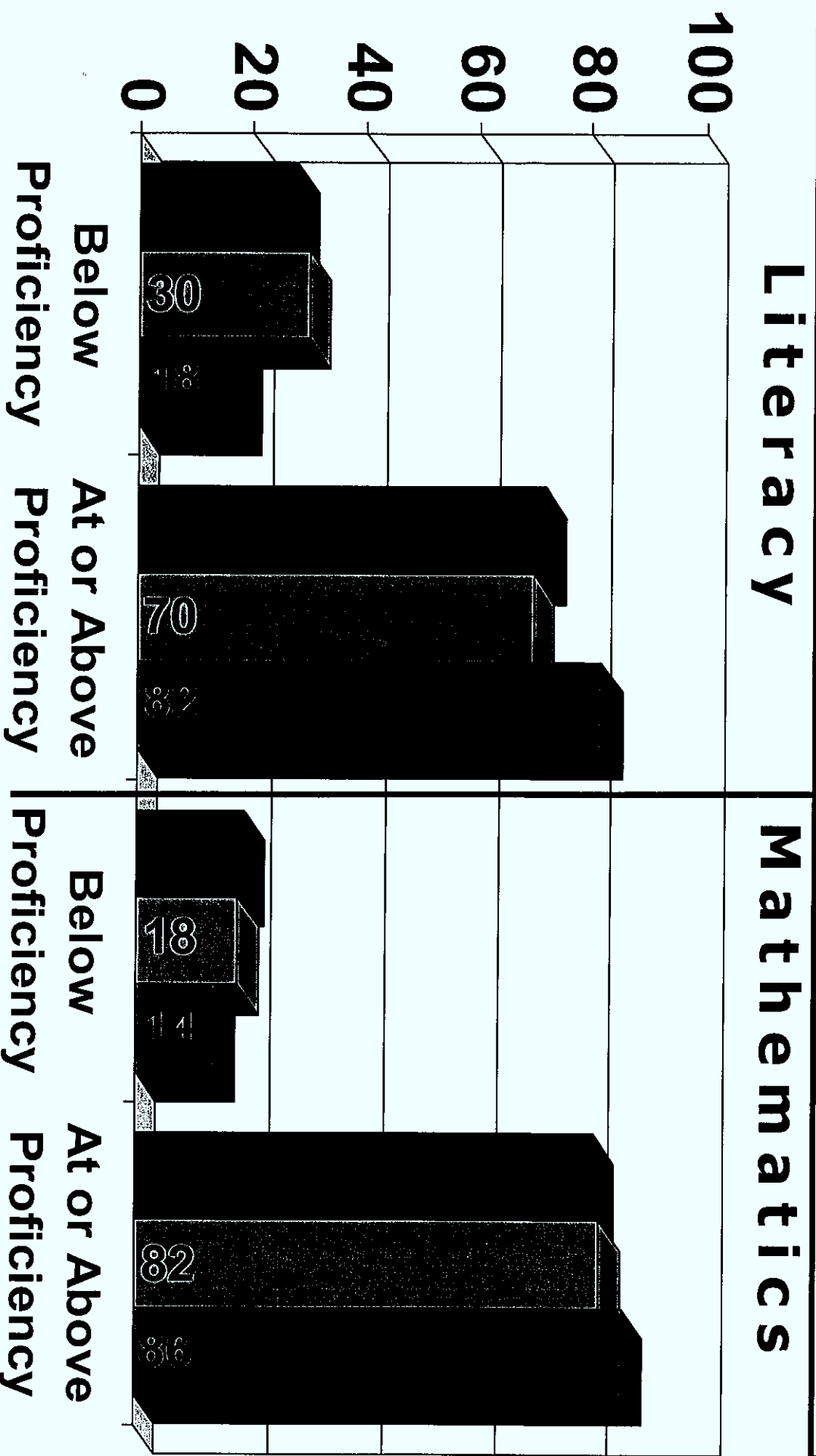
Data Source: Annual Statistical Reports (ASR) - ADM, Total Assessment, Total Expenditures, Total Mills,

Total Debt, Certified FTE's, & Average Salary

Child Nutrition Cycle 2 Data - Free & Reduced Lunch (prior to publication)

Mileage - Mapquest

Wickes Benchmark (Grade 3)



■ 2007

■ 2008

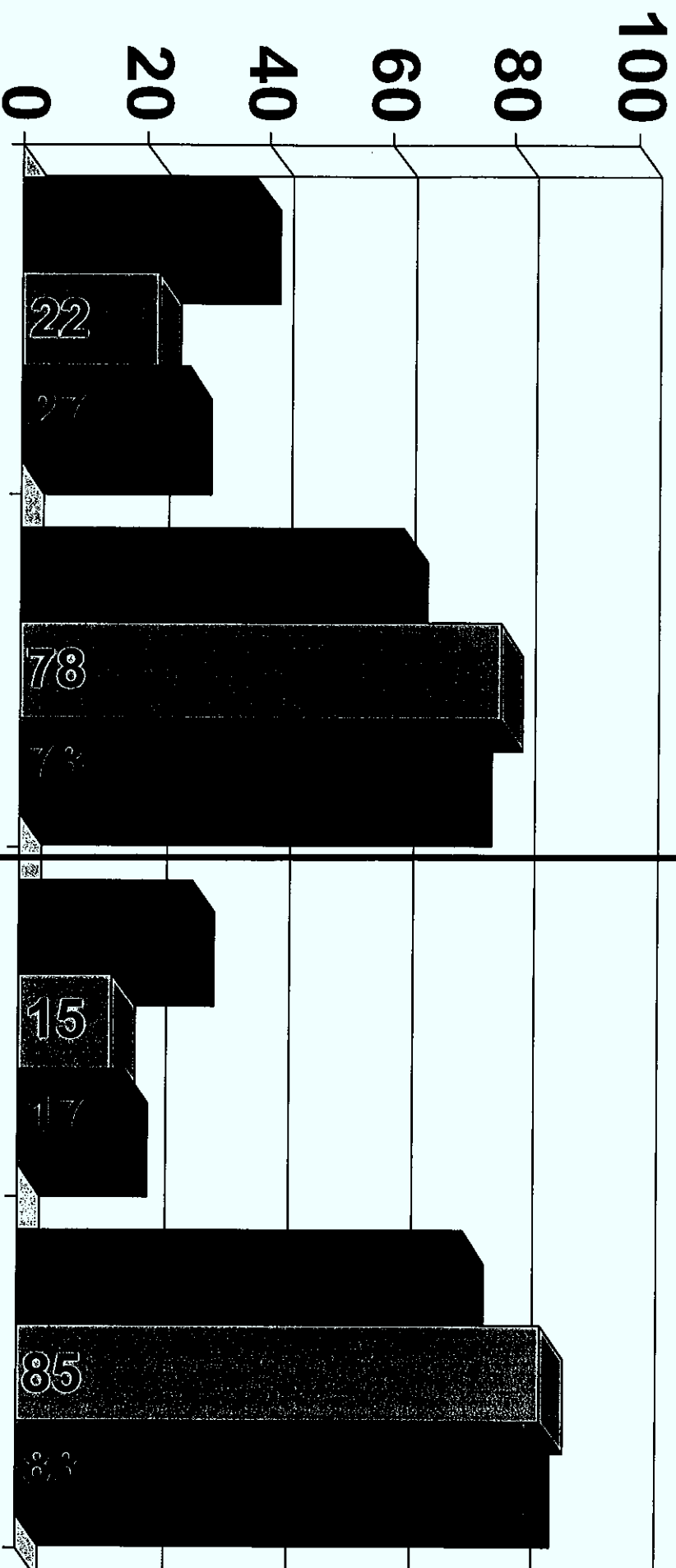
■ 2009

Combined Population

Wickes Benchmark (Grade 4)

Literacy

Mathematics



Below Proficiency

At or Above Proficiency

Below Proficiency

At or Above Proficiency

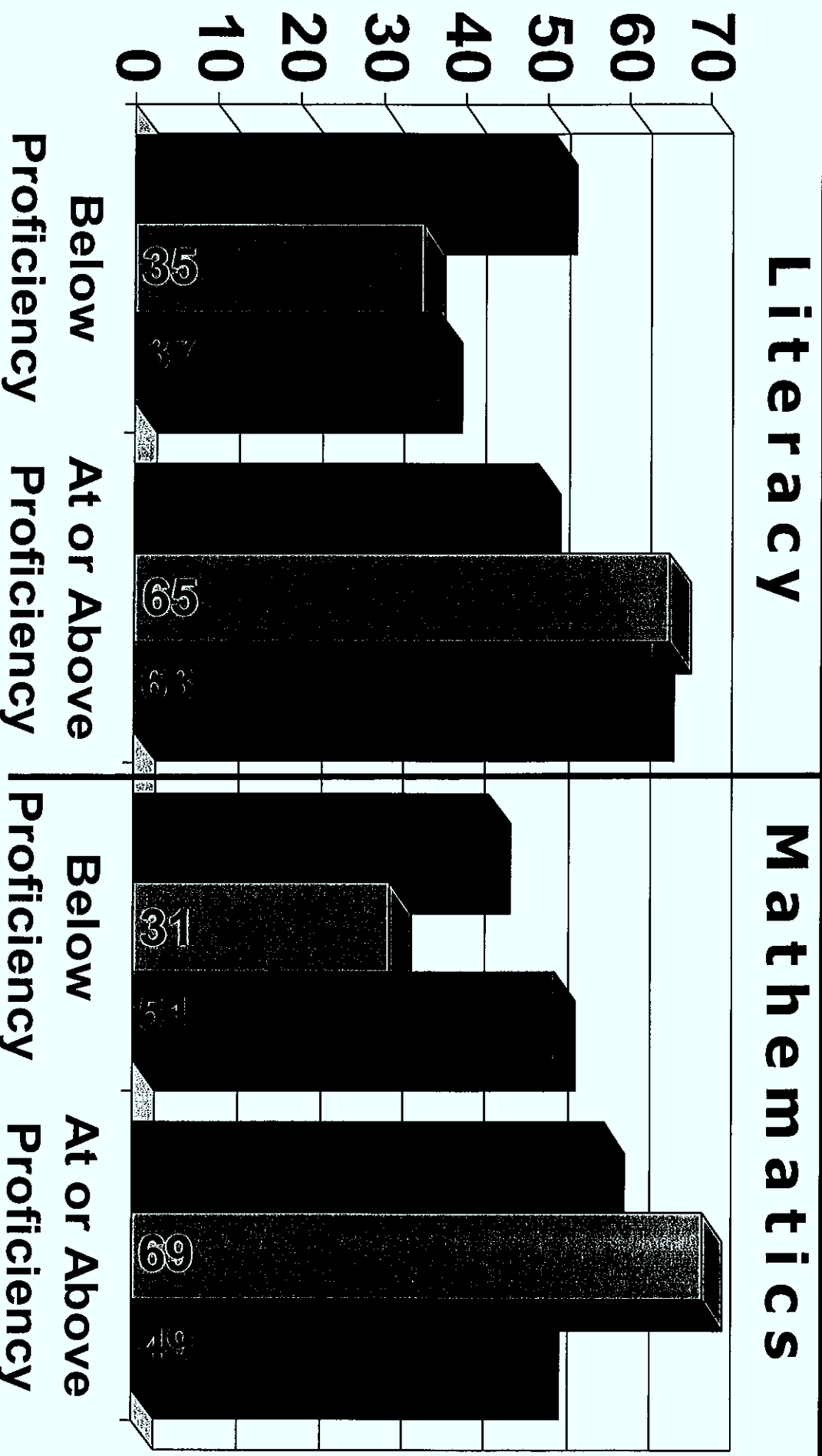
2007

2008

2009

Combined Population

Wickes Benchmark (Grade 5)



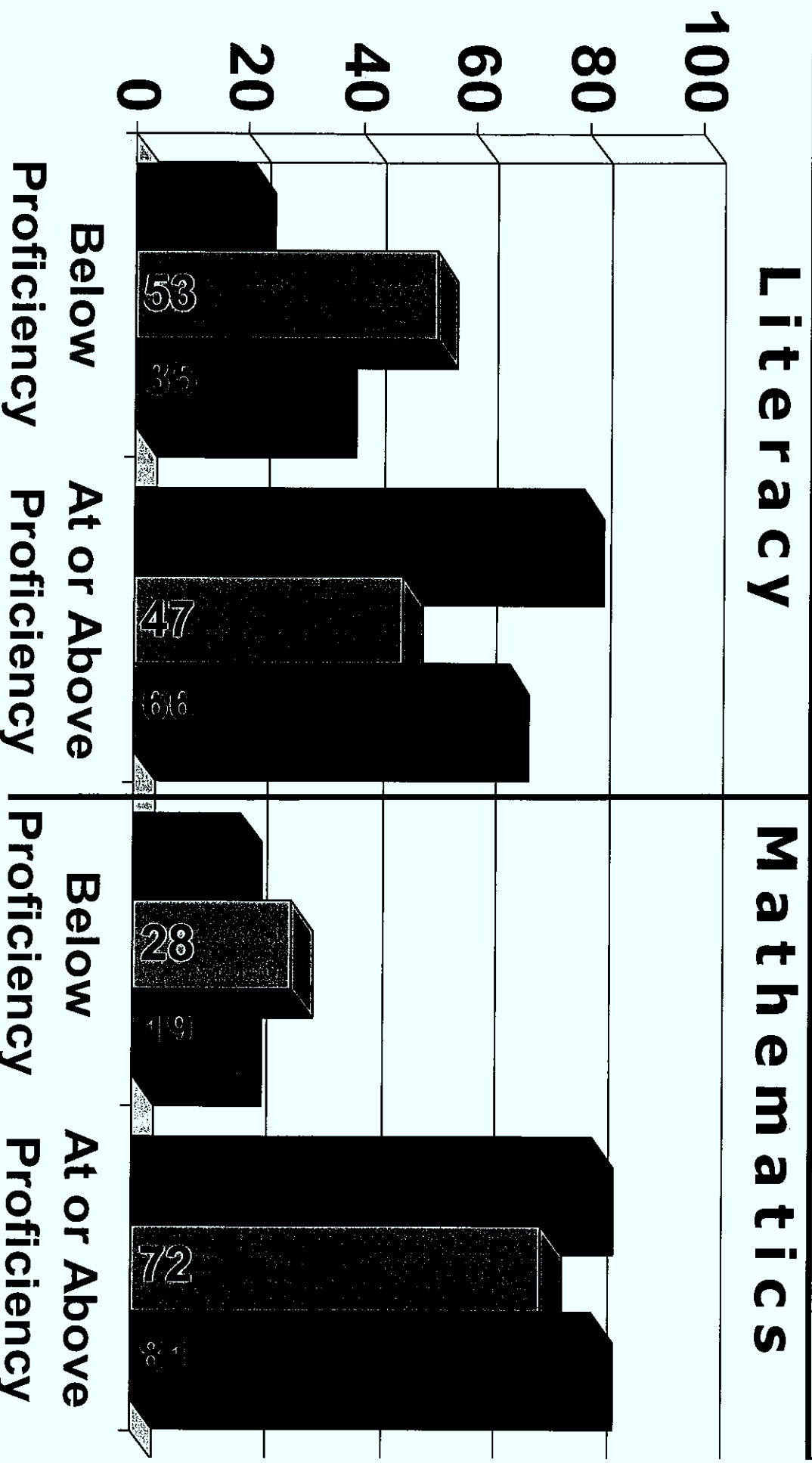
■ 2007

■ 2008

■ 2009

Combined Population

Wickes Benchmark (Grade 6)



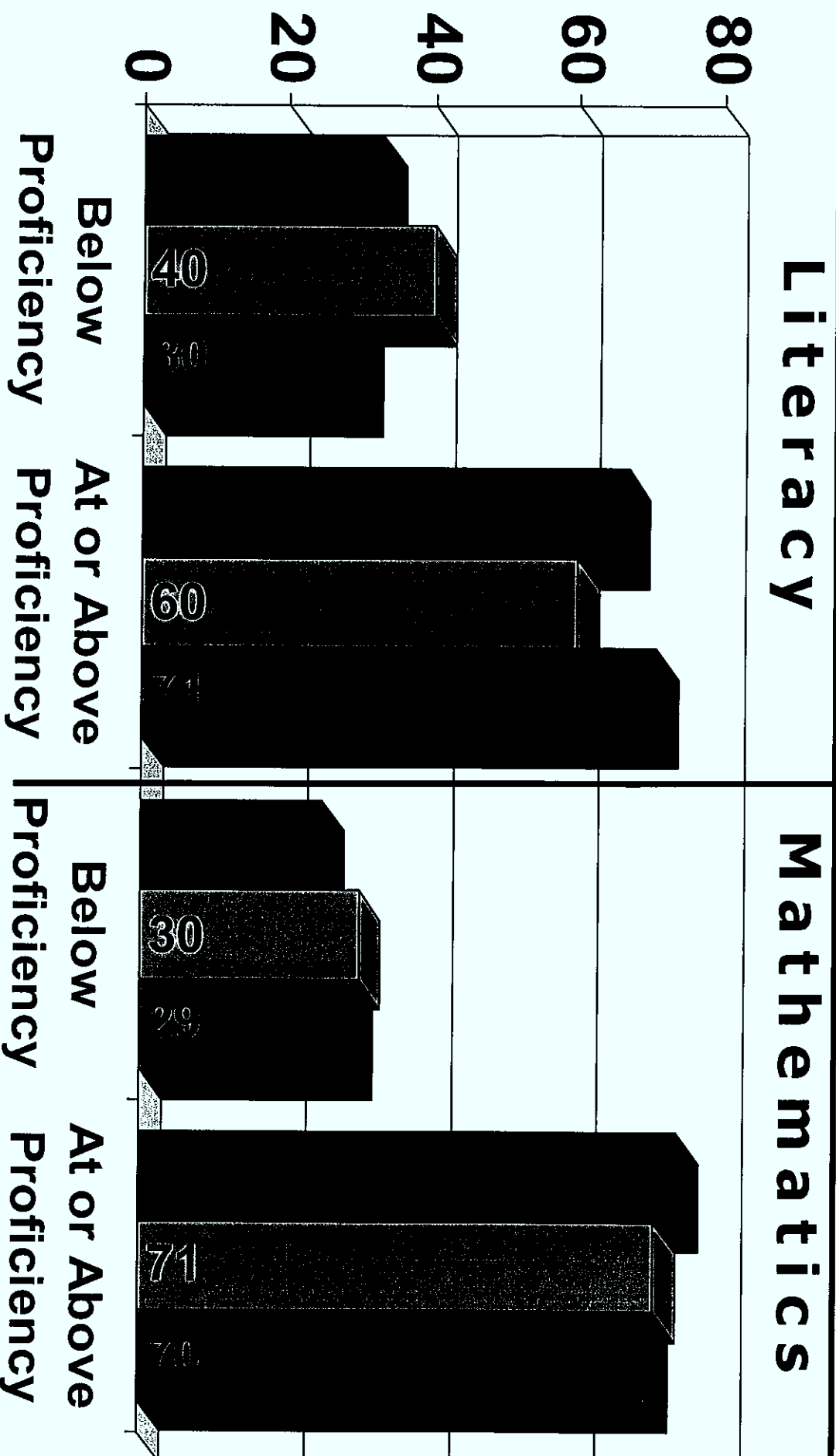
■ 2007

■ 2008

■ 2009

Combined Population

Wickes Benchmark (Grade 7)



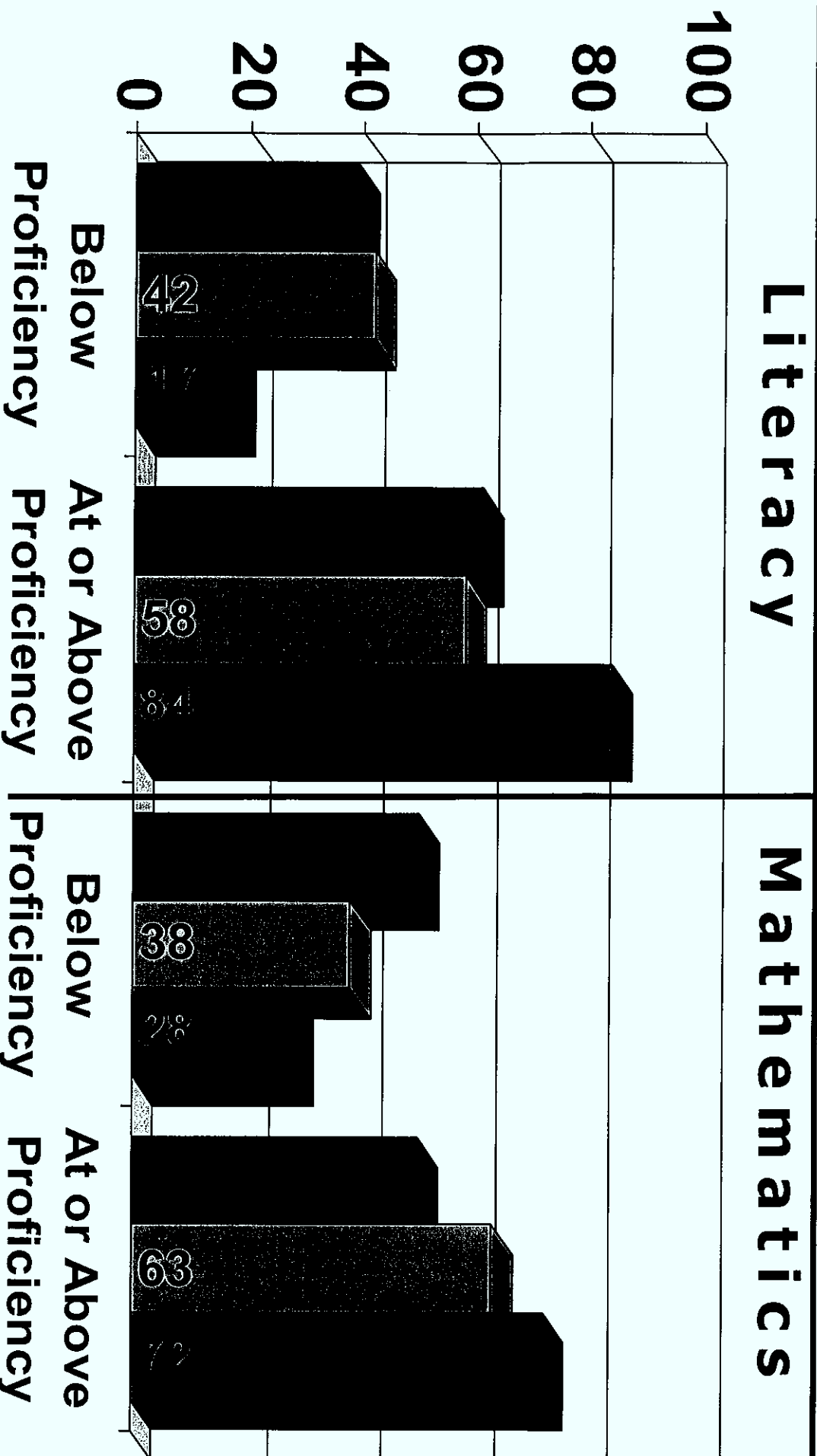
■ 2007

■ 2008

■ 2009

Combined Population

Wickes Benchmark (Grade 8)



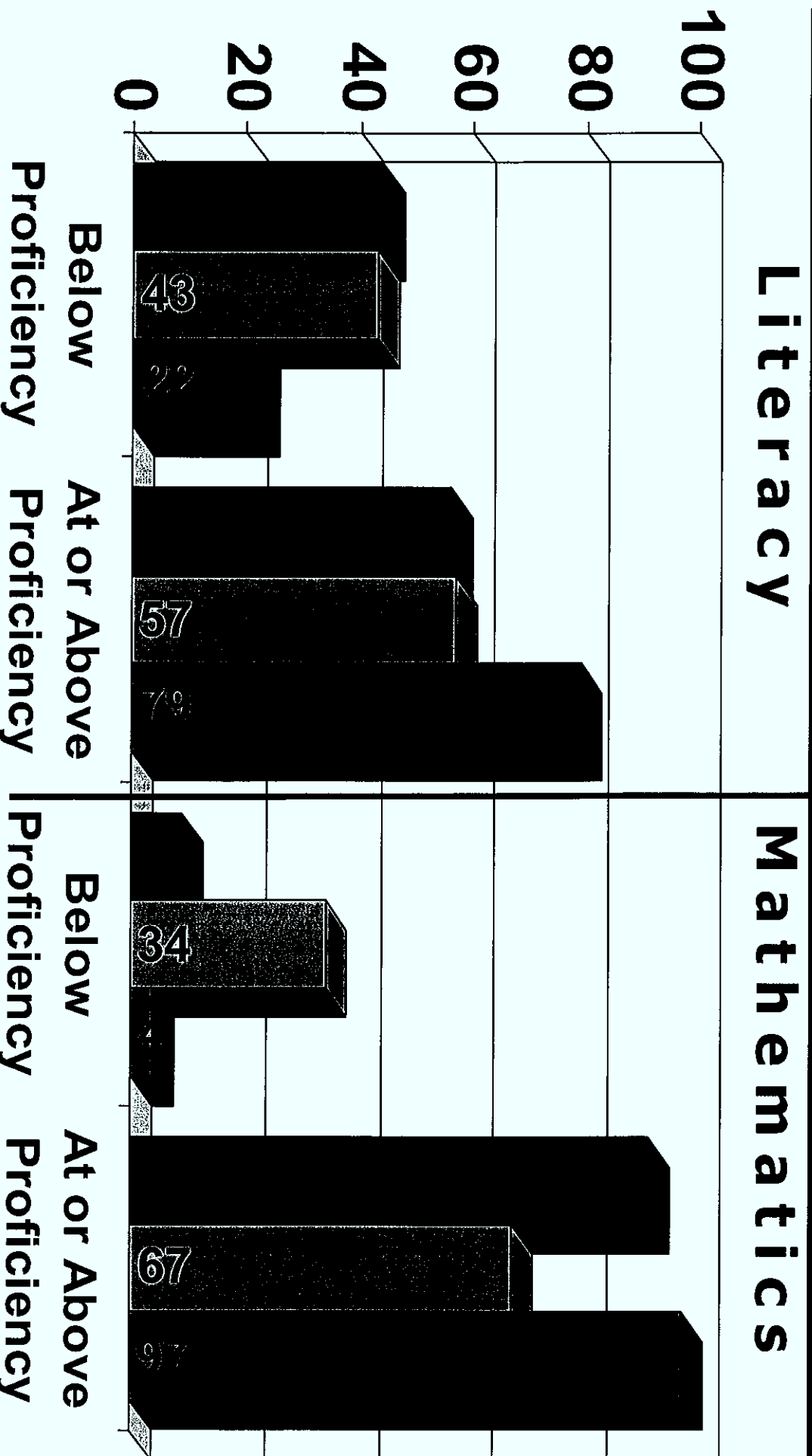
■ 2007

■ 2008

■ 2009

Combined Population

Van Cove Benchmark (Grade 3)



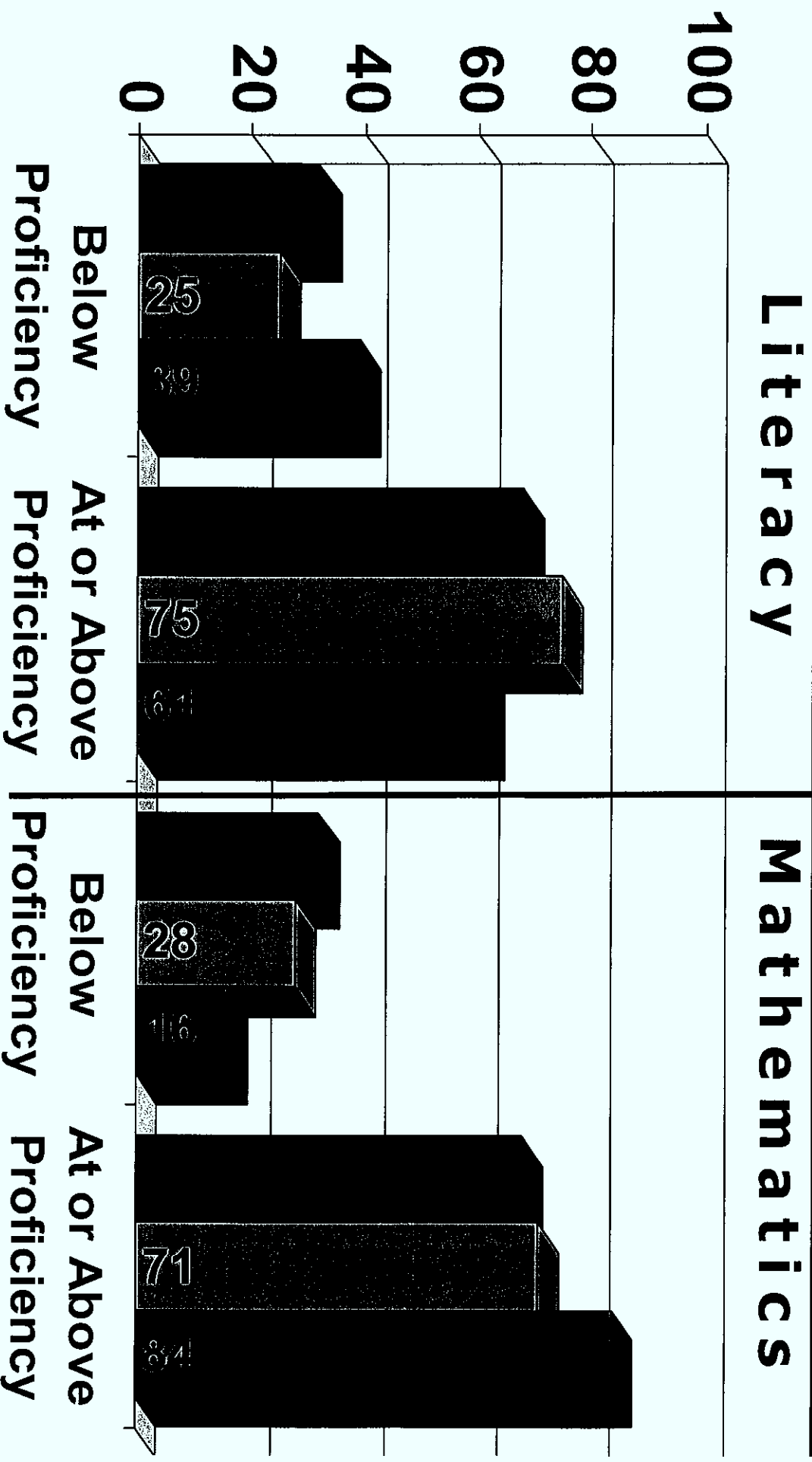
■ 2007

■ 2008

■ 2009

Combined Population

Van Cove Benchmark (Grade 4)



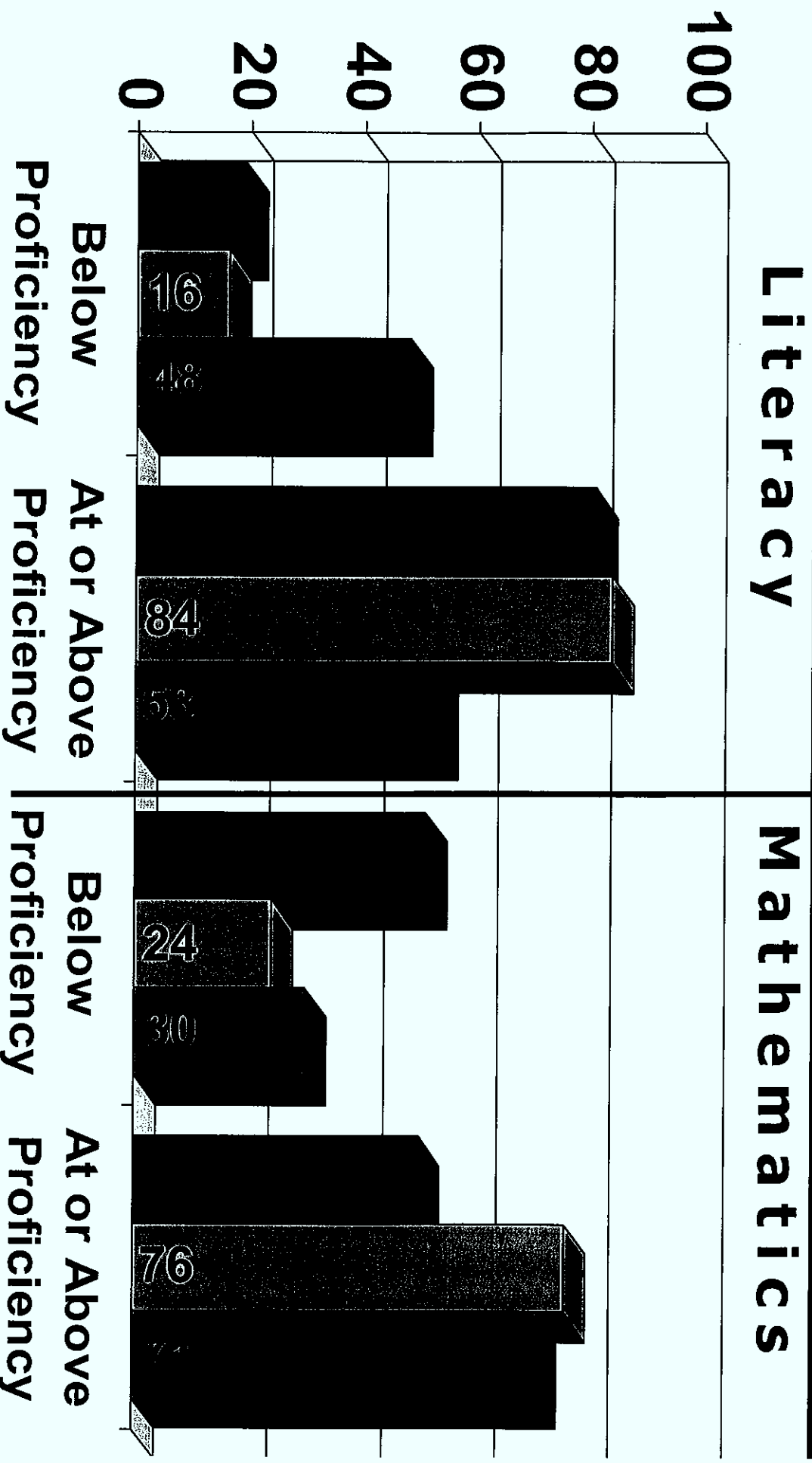
■ 2007

■ 2008

■ 2009

Combined Population

Van Cove Benchmark (Grade 5)



■ 2007

■ 2008

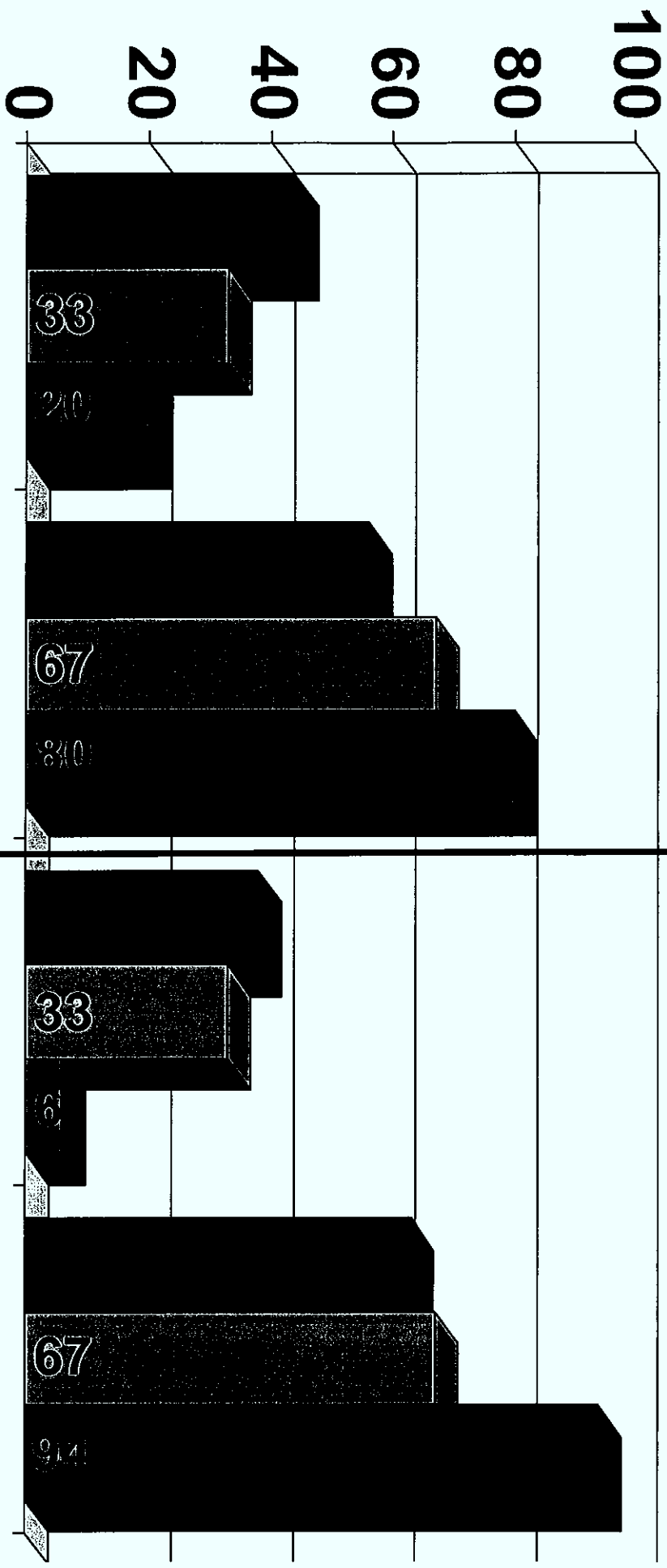
■ 2009

Combined Population

Van Cove Benchmark (Grade 6)

Literacy

Mathematics



Below Proficiency At or Above Proficiency Below Proficiency At or Above Proficiency

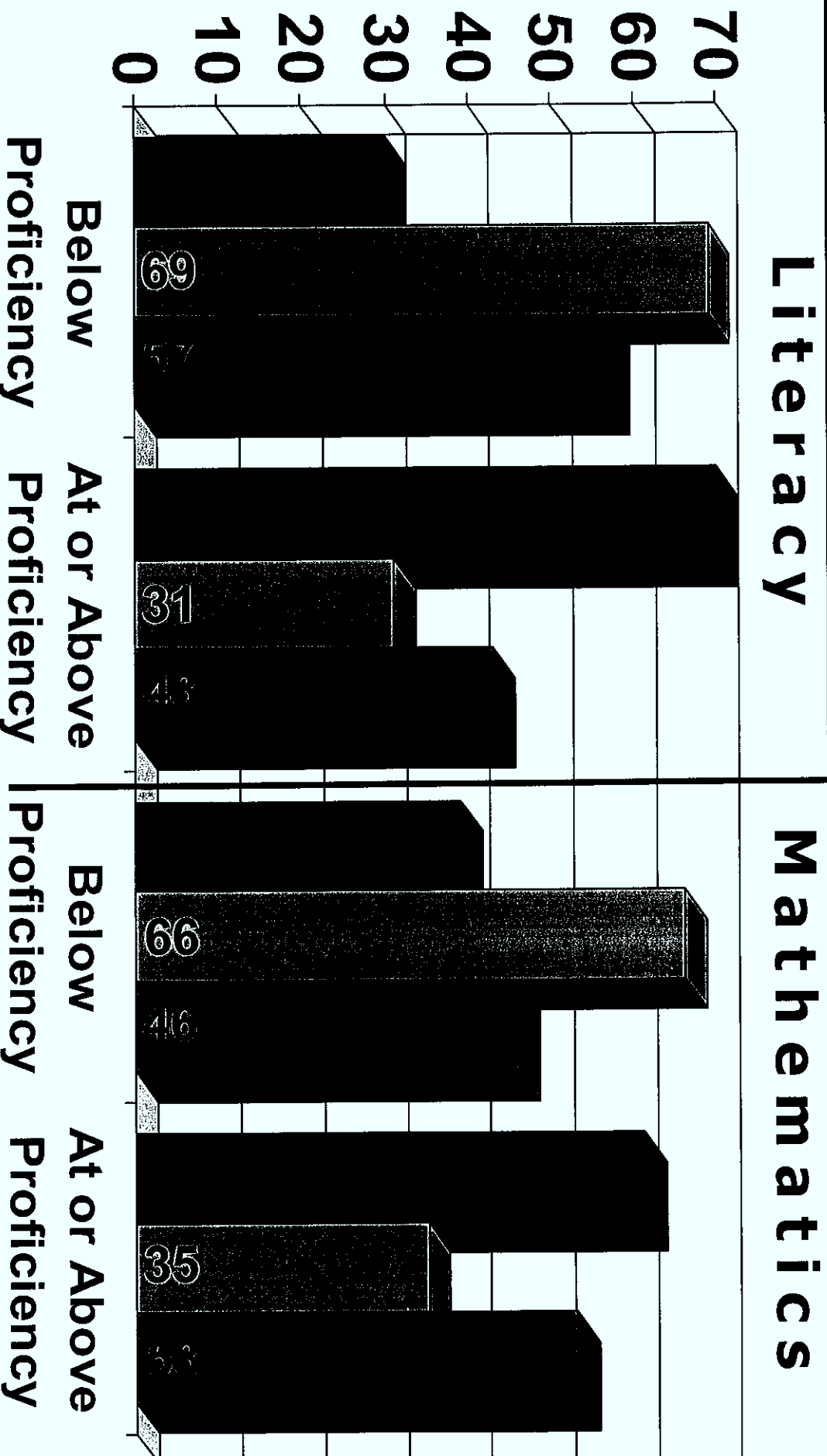
■ 2007

■ 2008

■ 2009

Combined Population

Van Cove Benchmark (Grade 7)



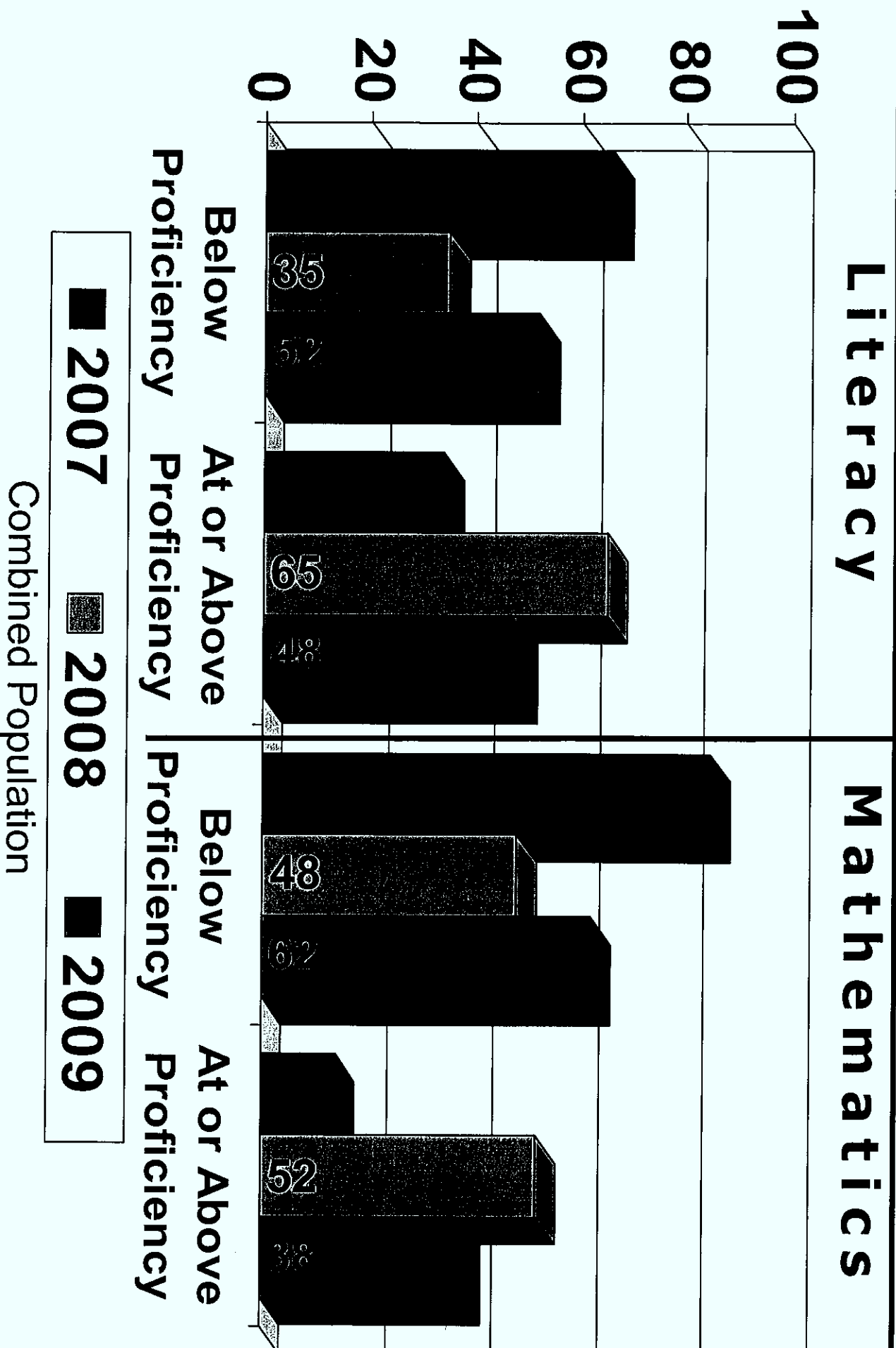
■ 2007

■ 2008

■ 2009

Combined Population

Van Cove Benchmark (Grade 8)



ACCREDITATION HISTORY

Van Cove School District

And

Wickes School District

Van Cove School District	06-07	07-08	08-09
District Office			
Van Cove Elementary School	C	A	C
Van Cove High School	C	C	C
Wickes School District	06-07	07-08	08-09
District Office			
Umpire Elementary School	A	A	A
Wickes Elementary School	A	A	A
Umpire High School	C	C	C
Wickes High School	C	C	A

03/08/10

ANNUAL ACCREDITATION STATUS REPORT (2008-2009)

Run Date: 05/07/2009
 Lea: 57-04-000
 County: POLK

Page #: 1
 District: VAN COVE SCHOOL DISTRICT
 Supervisor: R. CAUSBIE

2008-2009 Status:
 Review Date: Comments:

2007-2008 Status:
 Review Date: Comments:

2006-2007 Status:
 Review Date: Comments:

Enrollment-	K	34
	1	30
	2	28
	3	26
	4	31
	5	38
	6	30
	7	27
	8	31
	9	28
	10	38
	11	42
	12	35
	EE	0
	SM	0
	SS	0
	13	0

Total enrollment for 57-04-000: 418

FTE Totals-		
	Counselor	2.00
	Principal	2.00
	Asst. Principal	0.00
	Library/Media	1.00

Staff Development Hours:
 Total Book Volume:

ANNUAL ACCREDITATION STATUS REPORT (2008-2009)

Run Date: 05/07/2009

Page #: 2

Lea: 57-04-018

School: VAN COVE HIGH SCHOOL

2008-2009 Status: ACCREDITED-CITED
Review Date: Comments:

8313 JOB NOT CERT 09/01/2011 Licensure Completion Deadline
 JAMES D GILBERT
399100 Career Orientation

8313 JOB NOT CERT 09/01/2010 Licensure Completion Deadline
 NANCY SMITH Cite
440000 Spanish I

8313 JOB NOT CERT 09/01/2010 Licensure Completion Deadline
 NANCY SMITH Cite
440020 Spanish II

2007-2008 Status: ACCREDITED-CITED
Review Date: Comments:

8313 JOB NOT CERT 09/01/2009 Licensure Completion Deadline
 TONJA R TOMBLIN
414000 Oral Communications (.5 credit)

8313 JOB NOT CERT 09/01/2009 Licensure Completion Deadline
 NETLLA CURETON
3020 "Curriculum Supervision, Sec"

2006-2007 Status: ACCREDITED-CITED
Review Date: Comments:

8313 JOB NOT CERT 09/01/2008 Licensure Completion Deadline
 LEILANI D ROSE
6030 High School Guidance Counselor

ANNUAL ACCREDITATION STATUS REPORT (2008-2009)

Run Date: 05/07/2009

Page #: 3

Area: 57-04-018

School: VAN COVE HIGH SCHOOL

Enrollment-	K	0
	1	0
	2	0
	3	0
	4	0
	5	0
	6	0
	7	27
	8	31
	9	28
	10	38
	11	42
	12	35
	EE	0
	SM	0
	SS	0
	13	0

Total enrollment for 57-04-018: 201

FTE Totals-

Counselor	1.00
Principal	1.00
Asst. Principal	0.00
Library/Media	0.50

Staff Development Hours:	60
Total Book Volume:	6580

ANNUAL ACCREDITATION STATUS REPORT (2008-2009)

Run Date: 05/07/2009

Page #: 4

Area: 57-04-019

School: VAN COVE ELEMENTARY SCHOOL

2008-2009 Status: ACCREDITED-CITED
Review Date: Comments:

8313 JOB NOT CERT 09/01/2010 Licensure Completion Deadline
TABETHA K RUSERT Cite
3050 Gifted/Talented Coordinator
8313 JOB NOT CERT 09/01/2010 Licensure Completion Deadline
TABETHA K RUSERT Cite
970800 Gifted and Talented
8313 JOB NOT CERT 09/01/2010 Licensure Completion Deadline
KRISTEN WADE Cite
6015 Elementary Guidance Counselor

2007-2008 Status: ACCREDITED
Review Date: Comments:

2006-2007 Status: ACCREDITED-CITED
Review Date: Comments:

8313 JOB NOT CERT 09/01/2007 Licensure Completion Deadline
HELEN A KESTERSON
2010 Elementary School Principal

ANNUAL ACCREDITATION STATUS REPORT (2008-2009)

Run Date: 05/07/2009

Page #: 5

Lea: 57-04-019

School: VAN COVE ELEMENTARY SCHOOL

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Enrollment-	K	34
	1	30
	2	28
	3	26
	4	31
	5	38
	6	30
	7	0
	8	0
	9	0
	10	0
	11	0
	12	0
	EE	0
	SM	0
	SS	0
	13	0

Total enrollment for 57-04-019: 217

FTE Totals-

Counselor	1.00
Principal	1.00
Asst. Principal	0.00
Library/Media	0.50

Staff Development Hours:	60
Total Book Volume:	4330

ANNUAL ACCREDITATION STATUS REPORT (2008-2009)

Run Date: 05/07/2009
 Lea: 57-05-000
 County: POLK

Page #: 1
 District: WICKES SCHOOL DISTRICT
 Supervisor: R. CAUSBIE

2008-2009 Status:
 Review Date: Comments:

2007-2008 Status: ACCREDITED-CITED
 Review Date: Comments:

2006-2007 Status:
 Review Date: Comments:

Enrollment-	K	57
	1	62
	2	64
	3	60
	4	56
	5	51
	6	46
	7	55
	8	54
	9	54
	10	56
	11	42
	12	40
	EE	0
	SM	2
	SS	3
	13	0

Total enrollment for 57-05-000: 702

FTE Totals-

Counselor	2.26
Principal	3.00
Asst. Principal	0.00
Library/Media	2.88

Staff Development Hours:
 Total Book Volume:

ANNUAL ACCREDITATION STATUS REPORT (2008-2009)

Run Date: 05/07/2009

Page #: 2

Lea: 57-05-016

School: UMPIRE ELEMENTARY SCHOOL

2008-2009 Status: ACCREDITED
Review Date: Comments:

2007-2008 Status: ACCREDITED
Review Date: Comments:

8316 GRADE LEVEL
KARLA BRAY
6015 Elementary Guidance Counselor

2006-2007 Status: ACCREDITED
Review Date: Comments:

Enrollment-	K	10
	1	11
	2	13
	3	11
	4	12
	5	8
	6	7
	7	0
	8	0
	9	0
	10	0
	11	0
	12	0
	EE	0
	SM	0
	SS	0
	13	0

Total enrollment for 57-05-016: 72

FTE Totals-	
Counselor	0.13
Principal	0.50
Asst. Principal	0.00
Library/Media	0.50

Staff Development Hours:	60
Total Book Volume:	3261

ANNUAL ACCREDITATION STATUS REPORT (2008-2009)

Run Date: 05/07/2009

Page #: 3

Lea: 57-05-017

School: UMPIRE HIGH SCHOOL

2008-2009 Status: ACCREDITED-CITED
 Review Date: Comments:

8313 JOB NOT CERT 09/01/2010 Licensure Completion Deadline
 KARLA BRAY Cite
 6030 High School Guidance Counselor

8313 JOB NOT CERT 09/01/2010 Licensure Completion Deadline
 JALYN W MITCHELL Cite
 430000 Algebra I

8313 JOB NOT CERT 09/01/2010 Licensure Completion Deadline
 JALYN W MITCHELL Cite
 431000 Geometry

8313 JOB NOT CERT 09/01/2010 Licensure Completion Deadline
 JALYN W MITCHELL Cite
 432000 Algebra II

8313 JOB NOT CERT 09/01/2010 Licensure Completion Deadline
 JALYN W MITCHELL Cite
 433000 Pre Calculus including Trigonometry

8313 JOB NOT CERT 09/01/2010 Licensure Completion Deadline
 JALYN W MITCHELL Cite
 439040 Functional Mathematics

8313 JOB NOT CERT 09/01/2010 Licensure Completion Deadline
 JALYN W MITCHELL Cite
 439070 Algebra III

2007-2008 Status: ACCREDITED-CITED
 Review Date: Comments:

8316 GRADE LEVEL
 ANISSA J MANASCO
 388530 Vocal Music Grade 8

2006-2007 Status: ACCREDITED-CITED
 Review Date: Comments:

ANNUAL ACCREDITATION STATUS REPORT (2008-2009)

Run Date: 05/07/2009

Page #: 4

Lea: 57-05-017

School: UMPIRE HIGH SCHOOL

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8316	GRADE LEVEL	09/01/2009	Licensure Completion Deadline
	JUSTIN D RUSSELL		
377850	Health and Safety Grade 7		
8313	JOB NOT CERT	09/01/2008	Licensure Completion Deadline
	E DIANE WARREN		
450000	Art		
8313	JOB NOT CERT	09/01/2008	Licensure Completion Deadline
	E DIANE WARREN		
493020	Child Development (.5 credit)		
8313	JOB NOT CERT	09/01/2008	Licensure Completion Deadline
	E DIANE WARREN		
493080	Family & Consumer Sciences		
8313	JOB NOT CERT	09/01/2008	Licensure Completion Deadline
	E DIANE WARREN		
493110	Food & Nutrition (.5 credit)		
8313	JOB NOT CERT	09/01/2008	Licensure Completion Deadline
	E DIANE WARREN		
493140	Housing & Interior Design (.5 credit)		

Enrollment-	K	0
	1	0
	2	0
	3	0
	4	0
	5	0
	6	0
	7	11
	8	13
	9	9
	10	13
	11	10
	12	3
	EE	0
	SM	0
	SS	0
	13	0

Total enrollment for 57-05-017: 59

FTE Totals-

Counselor	0.13
Principal	0.50
Asst. Principal	0.00
Library/Media	0.50

Staff Development Hours:	60
Total Book Volume:	5650

ANNUAL ACCREDITATION STATUS REPORT (2008-2009)

Run Date: 05/07/2009

Page #: 5

Lea: 57-05-021

School: WICKES ELEMENTARY SCHOOL

2008-2009 Status: ACCREDITED
 Review Date: Comments:

2007-2008 Status: ACCREDITED
 Review Date: Comments:

8316 GRADE LEVEL
 ERIKA A DUGGAN
 366130 Reading Grade 6

2006-2007 Status: ACCREDITED
 Review Date: Comments:

Enrollment-	K	47
	1	51
	2	51
	3	49
	4	44
	5	43
	6	39
	7	0
	8	0
	9	0
	10	0
	11	0
	12	0
	EE	0
	SM	0
	SS	0
	13	0

Total enrollment for 57-05-021: 324

FTE Totals-

Counselor	1.00
Principal	1.00
Asst. Principal	0.00
Library/Media	1.00

Staff Development Hours:	60
Total Book Volume:	5100

ANNUAL ACCREDITATION STATUS REPORT (2008-2009)

Run Date: 05/07/2009

Page #: 6

Lea: 57-05-022

School: WICKES HIGH SCHOOL

2008-2009 Status: ACCREDITED
Review Date: Comments:

2007-2008 Status: ACCREDITED-CITED
Review Date: Comments:

8316 GRADE LEVEL
TERRI A COULTER
973910 10th Grade Science Portfolio

8316 GRADE LEVEL
JILLANA HUNTER
399000 Family & Consumer Sciences Investigations

2006-2007 Status: ACCREDITED-CITED
Review Date: Comments:

8313 JOB NOT CERT
SHAUNA GILBRAITH
415000 Journalism

09/01/2008 Licensure Completion Deadline

ANNUAL ACCREDITATION STATUS REPORT (2008-2009)

Run Date: 05/07/2009

Page #: 7

Lea: 57-05-022

School: WICKES HIGH SCHOOL

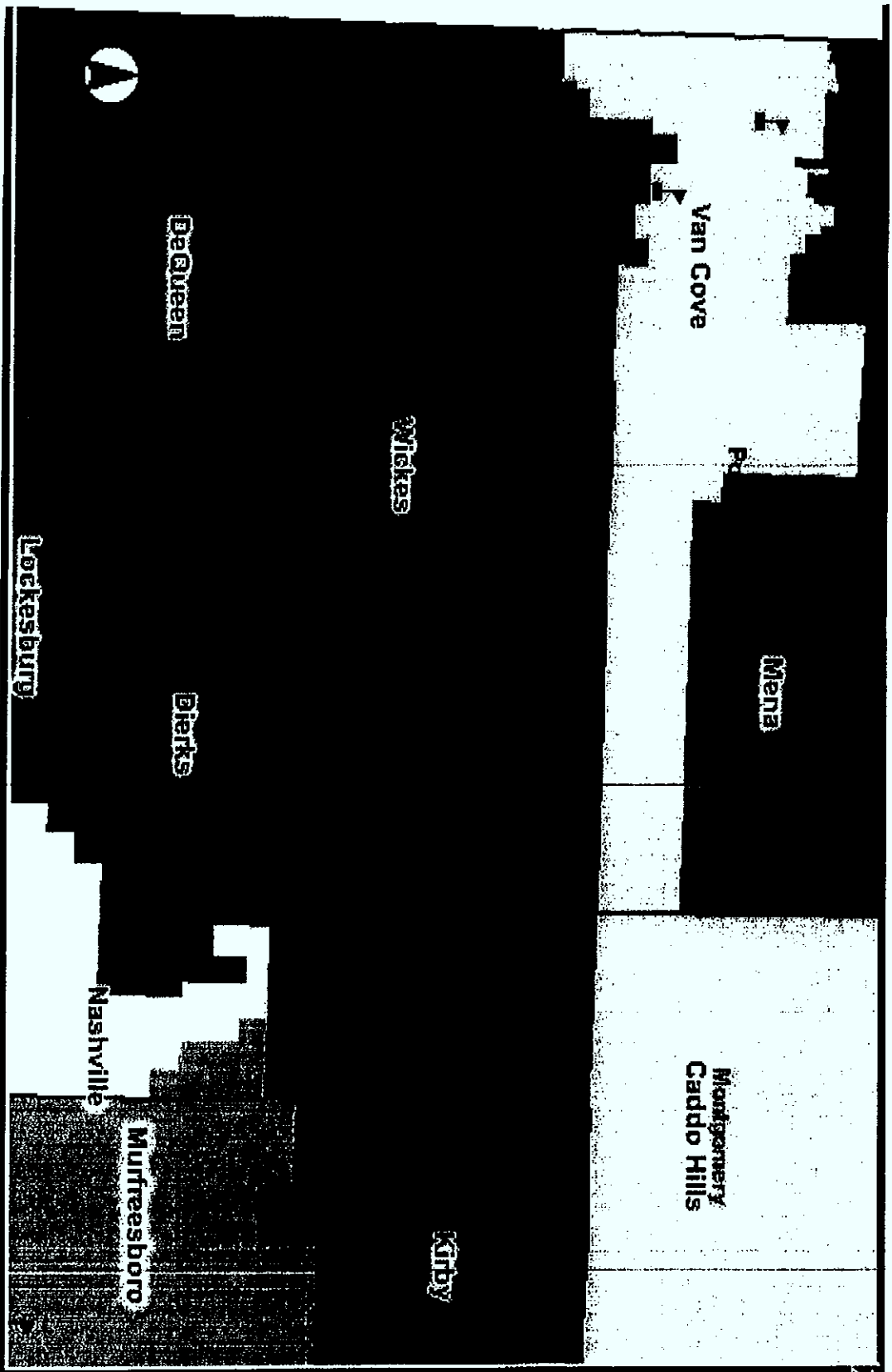
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Enrollment-      K      0
                  1      0
                  2      0
                  3      0
                  4      0
                  5      0
                  6      0
                  7     44
                  8     41
                  9     45
                 10     43
                 11     32
                 12     37
                 EE      0
                 SM      2
                 SS      3
                 13      0
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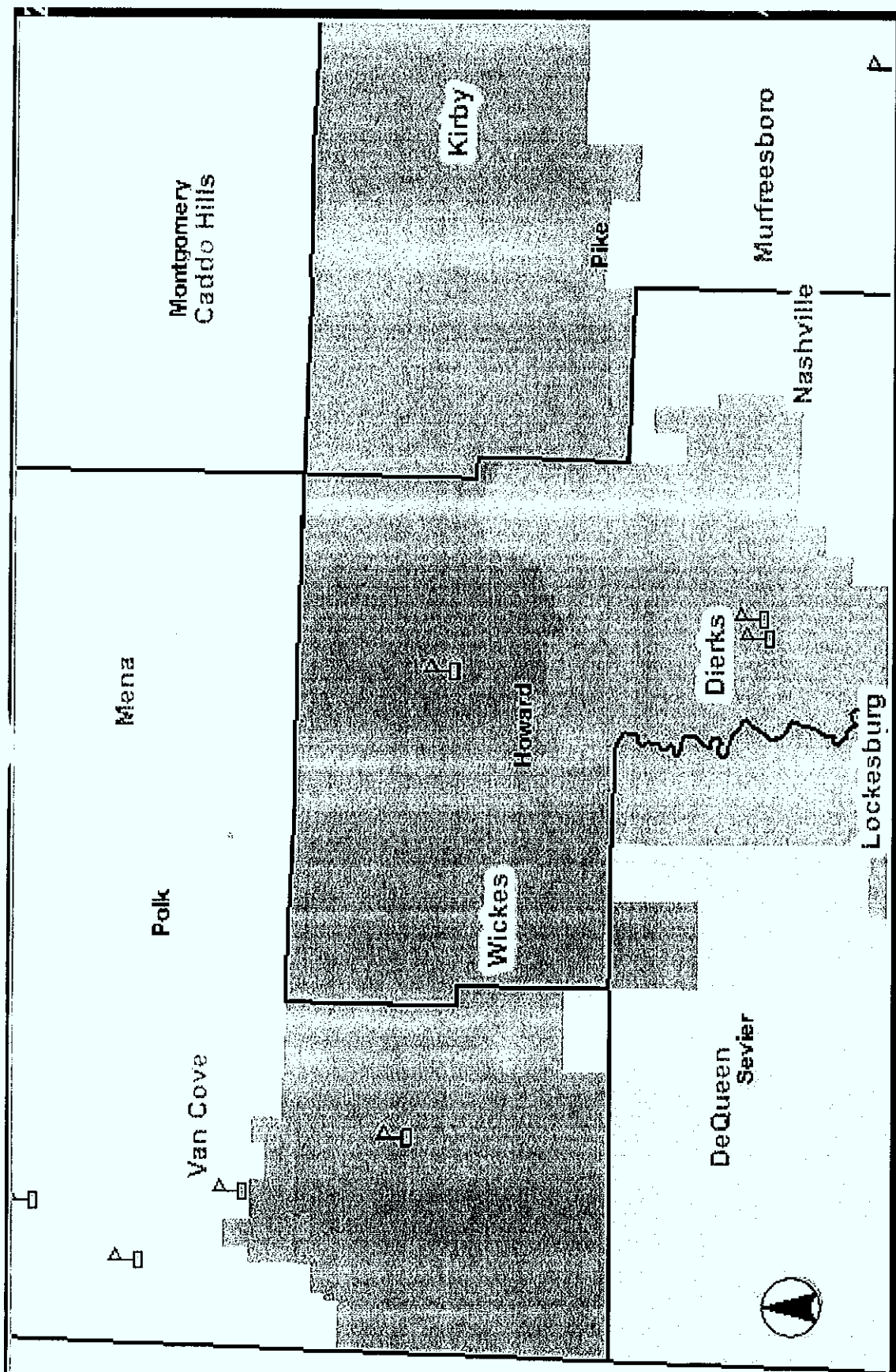
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Total enrollment for 57-05-022:    247
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FTE Totals-

```
Counselor          1.00
Principal           1.00
Asst. Principal     0.00
Library/Media       0.88
```

```
Staff Development Hours:      60
Total Book Volume:            6100
```







THE ATTORNEY GENERAL
STATE OF ARKANSAS
DUSTIN McDANIEL

Warren T. Readnour
Senior Assistant Attorney General

Direct dial: (501) 682-2016
Facsimile: (501) 682-2591
E-mail: warren.readnour@arkansasag.gov

February 22, 2010

Dr. Tom Kimbrell
Commissioner of Education
Arkansas Department of Education
4 State Capitol Mall
Little Rock, Arkansas 72201-1019

Re: Proposed Consolidation of the Wickes and Van Cove School Districts

Dear Dr. Kimbrell:

This is in response to your letter to Attorney General McDaniel dated February 11, 2010, in which you ask for our advice, pursuant to Ark. Code Ann. § 6-13-1408(b) and 6-13-1603, concerning the desegregation effects of a proposed consolidation of the Wickes School District with the Van Cove School District. Section 6-13-1408(b) provides that, prior to the entry of any order annexing or consolidating school districts, "the state board shall seek an advisory opinion from the Attorney General concerning the impact of the proposed annexation or consolidation on the effort of the state to assist a school district or districts in desegregation of the public schools of this state." Section 6-13-1603(c) provides that "[a]ll administrative consolidations or annexations under this section shall be accomplished so as not to create a school district that hampers, delays, or in any manner negatively affects the desegregation of another school district in this state."

Under United States Supreme Court precedent, the term "desegregation" is a legal term of art that describes the process by which a school district eliminates, to the extent practicable, the lingering effects or "vestiges" of prior *de jure* racial discrimination. Thus, in the absence of a finding that a school district has engaged in the past in activities prohibited by the Fourteenth Amendment to the United States Constitution, and that there are presently lingering effects or vestiges of that discrimination that remain unaddressed, a school district is not "desegregating" as that term is used in case law.

In this case, the State Board is considering the possible consolidation of the Wickes School District with the contiguous Van Cove School District. If approved, the annexation would result in the creation of a new larger district. The Department of Education has indicated that the school districts that would share a border with the newly formed district would be the Caddo Hills, DeQueen, Dierks, Kirby, and Mena School Districts. Based on information provided by the Department of Education, we are unaware of any pending desegregation court decrees in Wickes, Van Cove, or the potential surrounding districts. Therefore, we cannot say that the proposed annexation will have any negative effect on any desegregation efforts in those districts.

As will be the case in any proposed annexation or consolidation, the Board must be cognizant that it may not order or approve any proposed annexation or consolidation with the purpose or intent to create racially segregated schools. As the Supreme Court noted in *Missouri v. Jenkins*, 515 U.S. 70, 115 (1995):

[I]n order to find unconstitutional segregation, we require that plaintiffs "prove all of the essential elements of *de jure* segregation — that is, stated simply, a current condition of segregation resulting from *intentional state action directed specifically* to the [allegedly segregated] schools." *Keyes v. School Dist. No. 1, Denver*, 413 U.S. 189, 205-206 (1973) (emphasis added). "[T]he differentiating factor between *de jure* segregation and so-called *de facto* segregation . . . is purpose or *intent* to segregate." *Id.*, at 208 (emphasis in original).

There are numerous cases that discuss legal challenges to school district annexations and consolidations in the context of desegregation litigation, but in each case the question of whether a particular annexation or consolidation (or series of annexations or consolidations) were done with the requisite unconstitutional intent is a highly fact-specific inquiry.

To assist the State Board, we note that the 2009-2010 enrollment figures provided to us by the Department of Education reflect that the Wickes School District has a student population that is approximately 64% White, 32% Hispanic, and 0% Black. The Van Cove School District has a student population that is approximately 91% White, 6% Hispanic, and 0% Black. A combined Wickes-Van Cove district would have a student population that is approximately 75% White, 22% Hispanic, and 0% Black. The other school districts that surround Wickes have varying student racial compositions as follows: (1) DeQueen (approximately 39% White, 55% Hispanic, and 5% Black), (2) Dierks (approximately 92% White, 6% Hispanic, and 1% Black), and (3) Kirby (approximately 94% White, 5% Hispanic, and 0% Black). In addition, the other school districts that could also potentially share a border with the newly formed Wickes-Van Cove district have varying student racial compositions as follows: (1) Caddo Hills (approximately 84% White, 14% Hispanic, and 0% Black), and (2) Mena (approximately 95% White, 3% Hispanic, and 0% Black). Neither state nor federal law requires the Board to create school districts in a manner that would achieve any particular "racial balance" in the student

population of a school district.¹ We note, however, that the proposed consolidation of Wickes with Van Cove would create or maintain a predominately all-white resulting district bordered by a district with a substantial Hispanic population. For this reason, we advise the Board to scrutinize this proposed consolidation with great care and to satisfy itself that there are legitimate, non-racially-motivated reasons for the consolidation of Wickes with Van Cove.

Sincerely,

A handwritten signature in black ink, appearing to read "Warren Readnour". The script is cursive and somewhat stylized.

WARREN T. READNOUR
Senior Assistant Attorney General

¹ It should be noted that a decision made solely on a racial basis, even for laudable purposes such as diversity in education or the prevention of (re)segregation, would be subject to "strict scrutiny" analysis. *Parents Involved in Community Schools v. Seattle School Dist. No. 1*, 127 S.Ct. 2738 (2007).

BEFORE THE ARKANSAS STATE BOARD OF EDUCATION

IN THE MATTER OF THE ANNEXATION OF DELIGHT SCHOOL DISTRICT OF PIKE COUNTY INTO THE MURFREESBORO SCHOOL DISTRICT OF PIKE COUNTY

PETITION FOR ANNEXATION

COMES NOW the Murfreesboro School District of Pike County and the Delight School District of Pike County (Petitioners) acting by and through their respective Superintendents(s) duly authorized, pursuant to A.C.A. § 6-13-1601 et seq., and petition the Arkansas State Board of Education (Board) to approve the annexation of the petitioning affected Delight school district into the petitioning receiving Murfreesboro School District which hereby petitions to change its name to the South Pike County School District, and hereby would submit to the Board as follows:

1. Pursuant to A.C.A. § 6-13-1601 et seq., the Petitioners hereby submit and incorporate in this petition as Exhibit A attached hereto, proof of legally binding local board resolutions to annex the Delight School District into the receiving Murfreesboro School District and to be renamed, South Pike County School District as approved by a majority of the quorum present of the local boards of education of the respective Petitioners.
2. The Petitioners hereby submit and incorporate in this petition as Exhibit B attached hereto, proof of public notice of intent to petition this Board to annex the Petitioners into the receiving Murfreesboro School District. Said public notice of intent to annex was published in the local newspaper(s) of general circulation (or in a newspaper of daily circulation if local newspaper does not exist on weekly basis) of the affected districts for a time period of no less than once a week for two (2) consecutive weeks prior to the hearing of this petition with this Board.

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GENERAL DIVISION

3. The Petitioners submit that pursuant to A.C.A. §§ 6-13-1405, 6-13-1406 and 6-13-1412, that it is hereby agreed that the receiving South Pike County School District shall establish an interim school board consisting of four (4) current board members from the Murfreesboro School District and three (3) current board members from the Delight School District. The interim board shall serve until the first regular school board election of September 2011, the year following the annexation of July 1, 2010. Beginning at the regular school election of September 2011, the interim board positions shall be staggered for election so that a single-member zone position in the now current Delight and a single-member zone position in the now current Murfreesboro School Districts shall be up for election at the regular school elections of 2011, 2012 and 2013 with the final interim single-member zone position in the now current Murfreesboro School District up for election at the regular election of 2014.

4. The Petitioners submit that their respective school districts are geographically contiguous.

5. The Petitioners submit that they hereby request through the State Board, an Attorney General Opinion declaring whether the petitioned annexation will or will not hamper, delay or in any manner negatively affect the desegregation of another school district or districts in this state. Upon receipt, the resulting opinion shall be incorporated herein and attached hereto as Exhibit C.



6. Pursuant to A.C.A. § 6-13-1601 et seq., the Petitioners hereby submit and declare that the effective date of this petitioned annexation shall be July 1, and that there shall be only

one local school board and the current one local superintendent of the receiving Murfreesboro School District, Mr. Curtis Turner, Jr., shall continue to be superintendent of the receiving South Pike County School District; that as soon as feasible after annexation, the interim board of education shall rezone the receiving South Pike County School District to ensure four (4) zoned representative positions from the current Murfreesboro School District and three (3) zoned representative positions from the current Delight School District.

7. The Petitioners hereby submit an affidavit of facts by the superintendent of the affected school district(s), which is incorporated as Exhibit D, concerning the relevant status of any federal court-ordered supervision or jurisdiction of desegregation cases involving the affected districts.

WHEREFORE, Petitioners request that the Board approve the annexation of the Delight School District of Pike County into the receiving Murfreesboro School District of Pike County and rename said school district as the South Pike County School District; that it issue an Order dissolving the affected school districts and establishing the receiving South Pike County School District; that it issue an Order establishing the boundary lines of the receiving school district; and that it file its Order with the County Clerk of Pike County.

Respectfully submitted,

	<u>Murfreesboro</u>	<u>School District</u>
	<u>Pike</u>	<u>County</u>
By:		<u>2/22/10</u>
	Superintendent	Date
		<u>2/22/10</u>
	President, School Board	Date

Delight School District
Pike County
By: JF Green 2-25-10
Superintendent Date
Citronella Dixon 2-25-10
President, School Board Date

Exhibit A

School Board Resolution

COMES NOW the Murfreesboro School District Board acting by and through its Superintendent duly authorized and do herein declare:

A special or regular school board meeting was held on 2/22/10, wherein a quorum was present and a majority of the quorum voted to approve the consolidation annexation of the Murfreesboro School District with the Delight School District, and the minutes of said meeting reflect such.

Therefore, this document is to serve as the formal resolution of the Murfreesboro School District Board of Directors, pursuant to Arkansas law, that said consolidation/annexation is hereby approved.

Murfreesboro School District

Pike County

By: Curtis [Signature] 2/22/10
Superintendent Date
[Signature] McKe 2/22/10
President, School Board Date

Exhibit A

School Board Resolution

COMES NOW the DELIGHT School District Board acting by and through its Superintendent duly authorized and do herein declare:

A special or regular school board meeting was held on 2-22-10, wherein a quorum was present and a majority of the quorum voted to approve the consolidation annexation of the DELIGHT School District with the MURFREESBORO School District, and the minutes of said meeting reflect such. Therefore, this document is to serve as the formal resolution of the DELIGHT School District Board of Directors, pursuant to Arkansas law, that said consolidation/annexation is hereby approved.

DELIGHT School District

PIKE County

By: [Signature] 2-22-10
Superintendent Date
[Signature] 2-22-10
President, School Board Date

Exhibit D

Affidavit Concerning Desegregation Orders

COMES NOW the Murfreesboro School District, acting by and through its Superintendent, and hereby states and represents to the State Board of Education that, to the best of my knowledge, the Murfreesboro School District currently (circle one) (is) (is not) involved in desegregation litigation in a United States Federal Court or is under the continuing jurisdiction of a United States Federal Court Order regarding desegregation of a public school or schools (see "*" at bottom of affidavit).

Further the affiant sayeth not.

IN WITNESS WHEREOF, I hereunto set my hand this 22ND day of

FEBRUARY, 2010.

Curtis
Superintendent

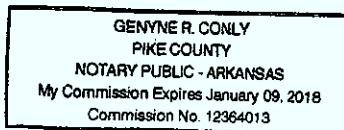
County of Pike
State of Arkansas

Sworn and subscribed before me, Notary Public, this 22nd day of February, 2010.

Genyve R. Conly
Notary Public

My Commission expires

1-9-2018



*If you answered "is involved in desegregation litigation, etc." above, please attach a copy of any applicable Court order or other relevant documentation.

Exhibit D

Affidavit Concerning Desegregation Orders

COMES NOW the DELIGHT School District, acting by and through its Superintendent, and hereby states and represents to the State Board of Education that, to the best of my knowledge, the DELIGHT School District currently (circle one) (is) (is not) involved in desegregation litigation in a United States Federal Court or is under the continuing jurisdiction of a United States Federal Court Order regarding desegregation of a public school or schools (see "*" at bottom of affidavit).

Further the affiant sayeth not.

IN WITNESS WHEREOF, I hereunto set my hand this 22 day of FEBRUARY, 2010.

[Signature]
Superintendent

County of Pike
State of Arkansas

Sworn and subscribed before me, Notary Public, this 22 day of February, 2010.



[Signature: Brittney Humphry]
Notary Public
1712369892

My Commission expires

02/14/2019

*If you answered "is involved in desegregation litigation, etc." above, please attach a copy of any applicable Court order or other relevant documentation.

Exhibit C

Affidavit of Average Daily Membership

COMES NOW the affiant, Curtis Turner, Jr., Superintendent of the
Murfreesboro School District, and having been duly sworn, states under oath
as follows:

1. The average daily membership (ADM) of the Murfreesboro School
District, as that term is defined in Ark. Code Ann. § 6-13-1604(4), was 505.31 students
for the 08-09 school year and 509.74 students for the 07-08
school year.

2. The combined average daily membership of the affected school districts was
835.16 for the 2008-2009 school year, an average daily membership
meeting or exceeding three hundred fifty (350) total students.

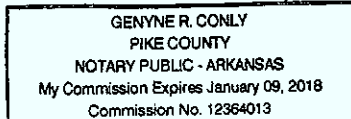
FURTHER, affiant says not.

IN WITNESS WHEREOF, I hereunto set my hand this 22nd day of
FEBRUARY, 2010.

County of Pike
State of Arkansas

Curtis Turner, Jr.
Superintendent

Sworn and subscribed before me, Notary Public, this 22nd day of February,
2010.



Genyne R. Conly
Notary Public

My Commission expires

1-9-2018

Exhibit C

Affidavit of Average Daily Membership

COMES NOW the affiant, LAVON FLAHERTY, Superintendent of the

DELIGHT School District, and having been duly sworn, states under oath
as follows:

1. The average daily membership (ADM) of the DELIGHT School District, as that term is defined in Ark. Code Ann. § 6-13-1604(4), was 329.85 students for the 2008-2009 school year and 329.16 students for the 2007-2008 school year.

2. The combined average daily membership of the affected school districts was 835.16 for the 2008-2009 school year, an average daily membership meeting or exceeding three hundred fifty (350) total students.

FURTHER, affiant says not.

IN WITNESS WHEREOF, I hereunto set my hand this 22nd day of

February, 2010.

Lavon Flaherty
Superintendent

County of Pike
State of Arkansas

Sworn and subscribed before me, Notary Public, this 22 day of February, 2010.



Brittney Humphry
Notary Public
#12369892

My Commission expires

02/14/2019

BEFORE THE ARKANSAS STATE BOARD OF EDUCATION

IN THE MATTER OF THE ANNEXATION OF WEINER SCHOOL DISTRICT OF
POINSETT COUNTY INTO THE HARRISBURG SCHOOL DISTRICT OF POINSETT
COUNTY

PETITION FOR ANNEXATION

COMES NOW the Harrisburg School District of Poinsett County and the Weiner School District of Poinsett County (Petitioners) acting by and through their respective Superintendents(s) duly authorized, pursuant to A.C.A. § 6-13-1601 et seq., and petition the Arkansas State Board of Education (Board) to approve the annexation of the petitioning affected school district into the petitioning receiving Harrisburg School District, and hereby would submit to the Board as follows:

1. Pursuant to A.C.A. § 6-13-1601 et seq., the Petitioners hereby submit and incorporate in this petition as Exhibit A attached hereto, proof of legally binding local board resolutions to annex the Weiner School District into the receiving Harrisburg School District as approved by a majority of the quorum present of the local boards of education of the respective Petitioners.

2. The Petitioners hereby submit and incorporate in this petition as Exhibit B attached hereto, proof of public notice of intent to petition this Board to annex the Petitioners into the receiving Harrisburg School District. Said public notice of intent to annex was published in the local newspaper(s) of general circulation (or in a newspaper of daily circulation if local newspaper does not exist on weekly basis) of the affected districts for a time period

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less than once a week for two (2) consecutive weeks prior to the hearing of this petition with this Board.

3. The Petitioners submit that pursuant to A.C.A. §§ 6-13-1405, 6-13-1406 and 6-13-1412, that it is hereby agreed that the receiving Harrisburg School District shall establish an interim school board consisting of four (4) current board members from the Harrisburg School District and one (1) current board members from the Weiner School District. The interim board shall serve until the first regular school board election of September 2011, the year following the annexation of July 1, 2010. Beginning at the regular school election of September 2011, the five (5) member board shall serve five (5) year terms.

4. The Petitioners submit that their respective school districts are geographically contiguous.

5. The Petitioners submit that they hereby request through the State Board, an Attorney General Opinion declaring whether the petitioned annexation will or will not hamper, delay or in any manner negatively affect the desegregation of another school district or districts in this state. Upon receipt, the resulting opinion shall be incorporated herein and attached hereto as Exhibit C.

6. Pursuant to A.C.A. § 6-13-1601 et seq., the Petitioners hereby submit and declare that the effective date of this petitioned annexation shall be July 1, and that there shall be only one local school board and the current one local superintendent of the receiving Harrisburg School District, Mr. Danny Sample, shall continue to be superintendent of the receiving Harrisburg School District; that as soon as feasible after annexation, the interim board of education shall rezone the receiving Harrisburg School District to ensure four (4) zoned

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representative positions from the current Harrisburg School District and one (1) zoned representative positions from the current Weiner School District.

7. The Petitioners hereby submit an affidavit of facts by the superintendent of the affected school district(s), which is incorporated as Exhibit D, concerning the relevant status of any federal court-ordered supervision or jurisdiction of desegregation cases involving the affected districts.

WHEREFORE, Petitioners request that the Board approve the annexation of the Weiner School District of Poinsett County into the receiving Harrisburg School District of Poinsett County; that it issue an Order dissolving the affected school districts and establishing the receiving Harrisburg School District; that it issue an Order establishing the boundary lines of the receiving school district; and that it file its Order with the County Clerk of Poinsett County.

Respectfully submitted,

Weiner School District
Poinsett County
By: [Signature] 2-26-10
Superintendent Date
Susan Johnson 2-26-10
President, School Board Date

Harrisburg School District
Poinsett County
By: [Signature] 2/27/2010
Superintendent Date
[Signature] 2-27-2010
President, School Board Date

Exhibit A

School Board Resolution

COMES NOW the Weiner School District Board acting by and through its Superintendent duly authorized and do herein declare:

A special or regular school board meeting was held on February, wherein a quorum was present and a majority of the quorum voted to approve the consolidation/annexation of the Weiner School District with the Harrisburg School District, and the minutes of said meeting reflect such. Therefore, this document is to serve as the formal resolution of the Weiner School District Board of Directors, pursuant to Arkansas law, that said consolidation/annexation is hereby approved.

Weiner School District

Poinsett County

By: Chuck Larson 2-26-10
Superintendent Date
Susan Johnson 2-26-10
President, School Board Date

Exhibit C

Affidavit of Average Daily Membership

COMES NOW the affiant, CHUCK HANSON, Superintendent of the
Weimer School District, and having been duly sworn, states under oath
as follows:

1. The average daily membership (ADM) of the Weimer School
District, as that term is defined in Ark. Code Ann. § 6-13-1604(4), was 342.12 students
for the 2007-08 school year and 342.11 students for the 2008-09
school year.

2. The combined average daily membership of the affected school districts was
1,486.87 for the 2008-09 school year, an average daily membership
meeting or exceeding three hundred fifty (350) total students.

FURTHER, affiant says not.

IN WITNESS WHEREOF, I hereunto set my hand this 26th day of
January, 2010.

County of Greene
State of Arkansas

Chuck Hanson
Superintendent

Sworn and subscribed before me, Notary Public, this 26th day of January,
2010.

Barbara A. Nouri
Notary Public

My Commission expires

9-14-11

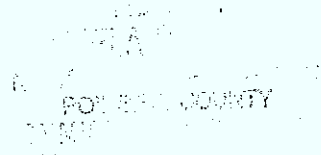


Exhibit E

Affidavit of Isolated School Status

Comes the affiant, CHUCK HANSON, Superintendent of the Weiner

School District, and having been duly sworn, states under oath as follows:

1. My name is CHUCK HANSON. I am Superintendent of the Weiner School District.
2. My business address is 313 N. Garfield Dr. Weiner, AR 72479
3. I am aware that pursuant to A.C.A. § 6-20-601, a school district must meet four of five criteria to qualify as an isolated school.
4. I am aware that pursuant to A.C.A. § 6-20-602 an isolated school must qualify as an isolated school district under § 6-20-601 prior to the administrative consolidation or annexation petitioned for herein.
5. I hereby submit that prior to the effective date of the administrative consolidation or annexation, the Weiner School District qualified as an isolated school district, and therefore, is entitled to the rights and privileges conferred on an isolated school pursuant to § 6-20-602 (Act 60 of the Second Extraordinary Session of 2003).
6. I hereby declare that the Weiner School District qualifies for isolated status because the school district meets the following list of at least four (4) of the five (5) criteria of being an isolated school district: (circle appropriate responses and provide relevant data in the blanks)
 - (1) There is a distance of twelve (12) miles or more by hard-surfaced highway from the high school of the district to the nearest adjacent high school in an adjoining district. The distance is 16.5 miles.

(2) The density ratio of transported students is less than three (3) students per square mile of area. The density ratio is 1.74.

(3) The total area of the district is ninety-five (95) square miles or greater.

The total area is 196 square miles.

(4) Less than fifty percent (50%) of bus route miles are on hard-surfaced roads. The percent of bus route miles on hard-surface roads is

36%. 58.25 miles paved
103.32 miles unpaved

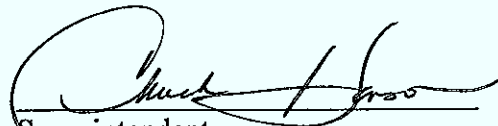
(5) There are geographic barriers such as lakes, rivers, and mountain ranges which would impede travel to schools that otherwise would be appropriate for consolidation, cooperative programs and shared services. The

geographic barriers are winter flooding from Bayou De View and Langueille Tributaries. Rice field that flood & cover roads.

7. Further the affiant sayeth not.


IN WITNESS WHEREOF, I hereunto set my hand this 26th day of

February, 2010.


Superintendent

County of Polk
State of Arkansas

Sworn and subscribed before me, Notary Public, this 26th day of February, 2010.


Notary Public

My Commission expires

9-14-11

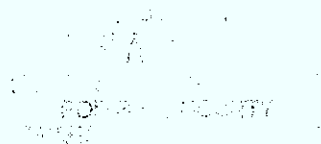


Exhibit D

Affidavit Concerning Desegregation Orders

COMES NOW the Weinen School District, acting by and through its Superintendent, and hereby states and represents to the State Board of Education that, to the best of my knowledge, the Weinen School District currently (circle one) (is) (is not) involved in desegregation litigation in a United States Federal Court or is under the continuing jurisdiction of a United States Federal Court Order regarding desegregation of a public school or schools (see "*" at bottom of affidavit).

Further the affiant sayeth not.


IN WITNESS WHEREOF, I hereunto set my hand this 26th day of

February, 2010.


Superintendent

County of Poinsett
State of Arkansas

Sworn and subscribed before me, Notary Public, this 26th day of February 2010.


Notary Public

My Commission expires

9-14-11

*If you answered "is involved in desegregation litigation, etc." above, please attach a copy of any applicable Court order or other relevant documentation.



ARKANSAS DEPARTMENT OF EDUCATION

Dr. Tom W. Kimbrell
Commissioner

February 25, 2010

State Board
of Education

Dr. Naccaman Williams
Springdale
Chair

Jim Cooper
Melbourne
Vice Chair

Sherry Burrow
Jonesboro

Brenda Gullett
Fayetteville

Sam Ledbetter
Little Rock

Alice Mahony
El Dorado

Dr. Ben Mays
Clinton

Toyce Newton
Crossett

Dr. Charles Scriber
Superintendent
2465 Rodeo Drive
Mountain Home, AR 72653

Re: Notice of State Board Meeting

Dr. Scriber,

This letter is to inform you that your renewal application for Mountain Home High School Career Academy will be considered at the State Board of Education's meeting on March 8, 2010. This meeting is scheduled to begin at 9:00 a.m., and will be held in the Auditorium of the Arch Ford Education Building at Four Capitol Mall in Little Rock, Arkansas.

Please ensure that you have all necessary personnel in attendance, as well as all documentation in order to address any questions from the Arkansas State Board of Education concerning your request.

Please feel free to contact the Charter Schools Office at (501)683-5313, should you have any questions.

Sincerely,

Mary Ann Duncan, Ed.D.,
Charter Schools, Program Coordinator

MAD/jf

Four Capitol Mall
Little Rock, AR
72201-1019
(501) 682-4475
ArkansasEd.org

c/c: Dr. Tom Kimbrell, Commissioner
Dr. Diana Julian, Deputy Commissioner
Jeremy Lasiter, General Counsel

DISTRICT CONVERSION CHARTER SCHOOL RENEWAL REPORT

MOUNTAIN HOME HIGH SCHOOL CAREER ACADEMIES

Sponsoring District: Mountain Home School District
Mountain Home, AR

ENROLLMENT

Enrollment for 2008-09: 1187

Enrollment for 2009-10: 1203

WAIVERS/ AMENDMENTS

Amendments to Original Charter: Mountain Home High School Career Academics is requesting an increase on its student CAP to 1600. For rationale please see page 35 of attachment 1.

Waivers: No additional waivers were requested. However, Mountain Home High School Career Academics has requested to rescind the waiver to grant high school credit for Computer Applications I and Family and Consumer Science which are taken in the 8th grade. Please see page 34 of attachment 1

PERFORMANCE GOALS

For performance goals, please see pages 8 thru 17 of attachment 1.

TESTING DATA

For 2009, Mountain Home Career Academics is listed as achieving Arkansas Yearly Progress (AYP).

For testing data please refer to pages 18 thru 28 of attachment 1.

STANDARDS

Mountain Home High School Career Academics status for the 2008-2009 school year was of an accredited-cited school. Please see attachment 2.

SPECIAL EDUCATION

Ms. Marcia Harding, Associate Director of Special Education at the Department of Education, reported that the "district's self-study indicates that the policies, practices, and

procedures used to identify culturally and linguistically diverse students in need of early intervening services are currently developed and in place". Please see attachment 3.

A letter was also submitted by Ms. Debbie Atkinson, Director of Special Education for Mountain Home Public Schools which describes basic information regarding the Special Education Program. Please see attachment 4.

FACILITIES

A Charter School Operations and Maintenance Compliance Report was submitted by Mr. Terry Granderson, Senior Project Manager, Division of Public School Academic Facilities and Transportation. Please see attachment 5.

FINANCE

- g. 2009 – 2010 Cycle 1 Validation Report. Include explanation of variance if pertinent.
 - Applicant included the Cycle 1 Certification of Data Accuracy rather than a copy of the actual Cycle 1 report.
- h. June 30, 2009 Detailed Statement of Changes in Fund Balances
 - Report provided
- i. November 30, 2009 Detailed Statement of Changes in Fund Balances
 - Report provided
- j. June 30, 2009 Summary Revenue Status Report
 - Report provided
- k. November 30, 2009 Summary Revenue Status Report
 - Report provided
- l. June 30, 2009 Summary Expenditure Status Report
 - Report provided
- m. November 30, 2009 Summary Expenditure Status Report
 - Report provided
- n. June 30, 2007 Audit, if available
 - Audit report provided.
- o. June 30, 2008 Audit, or most recent audit reviewed by the Legislative Joint Auditing Committee. Include Legislative Audit correspondence
 - Audit report provided.
- p. June 30, 2009 Bank Reconciliation Report, including corresponding bank statement.
 - Report provided

- Bank Reconciliation Report balanced to bank statement
- q. November 30, 2009 Bank Reconciliation Report, including corresponding bank statement.
- Report provided
 - Bank Reconciliation Report balanced to bank statement

LEGAL

- 1.) Requested waiver from the provisions of Ark. Code Ann. § 6-15-1004 ("Qualified teachers in every public school classroom"):

The State Board of Education (Board) may (but is not required to) waive the teacher certification requirement. However, the Board may not waive the requirements that charter school teachers have a bachelor's degree and meet content knowledge requirements if they teach core academic subjects.

Additionally, the Department Rule Governing the Arkansas Comprehensive Testing, Assessment and Accountability Program, Sections 5.02.4 and 5.03.2, requires that standardized assessments be administered according to procedures established by the Department. The Department's procedures require that certified teachers administer the standardized assessments. Violations of such procedures are subject to sanctions by the Board pursuant to Ark. Code Ann. § 6-15-438.

Finally, all teachers and school personnel must submit to criminal background and central registry checks.

- 2.) Requested waiver from Ark. Code Ann. § 6-15-902 ("Uniform grading scale for public schools).

If the Board desires to grant this waiver, it should assure itself that doing so would not keep it from holding Mountain Home accountable for meeting measurable student achievement standards (Ark. Code Ann. § 6-23-102 (b)), and that such a waiver and plan would only apply to non-core (i.e., elective) courses.

- 3.) Requested waivers from Ark. Code Ann. § 6-16-102 ("School day hours"):

The Board may waive this requirement, subject to the following condition: The amount of instruction time may be lengthened beyond six (6) hours per day, but may not be decreased to less than six (6) hours per day.

ATTACHMENT 1

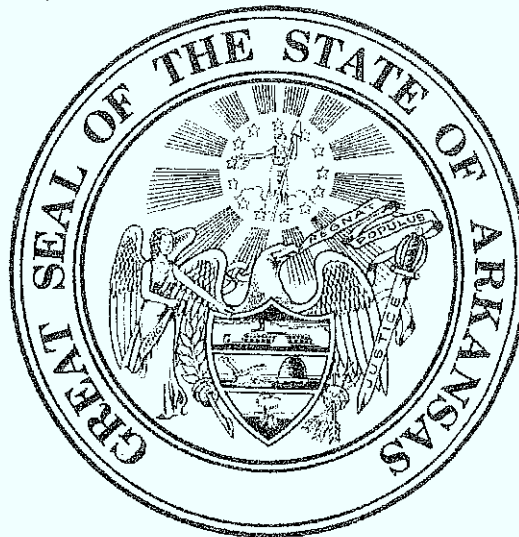
**MOUNTAIN HOME HIGH SCHOOL CAREER ACADEMIES
RENEWAL APPLICATION – NARATIVE ONLY**



ARKANSAS DEPARTMENT OF EDUCATION

District Conversion Public Charter School Renewal Application

Deadline for Submission: January 15, 2010



Charter School: Mountain Home High School
Career Academies

Date Submitted: December 18, 2009

Date Approved: _____

Arkansas Department of Education
Charter School Office
Four Capitol Mall, Room 105-C
Little Rock, AR 72201
501.683.5313

RECEIVED
JAN 15 2010

Application Instructions

In accordance with Arkansas Code Annotated § 6-23-101 et. seq., the State Board of Education is authorized to renew charters on a one-year or multiyear basis, not to exceed five (5) years. The State Board of Education may place a charter school on probation or may modify, revoke, or deny renewal of its charter if the state board determines that the persons operating the school: a) committed a material violation of the charter, including failure to satisfy accountability provisions prescribed by the charter; b) failed to satisfy generally accepted accounting standards of fiscal management; c) failed to comply with this chapter or other applicable law or regulation, or (d) failed to meet academic or fiscal performance criteria deemed appropriate and relevant for the public charter school by the State Board.

1. This application for renewal must be approved by the governing board of the sponsoring entity prior to being submitted to the State Board of Education for consideration.
2. Attachments should be labeled as indicated in the application and submitted in the prescribed order.
3. Submit one original unbound application and six (6) complete paper copies of the entire document. The original copy must include signatures in blue ink. One copy must also be submitted on a CD in Microsoft Word or Adobe Acrobat pdf file. Do not send copies in binders or staple the original application and attachments.
4. List of attachments to be provided:
 - a. Documentation that the district's Board of Directors has voted to approve this application for renewal
 - b. Copy of the school's 2008-2009 Arkansas Consolidated School Improvement Plan (ACSIP)
 - c. Latest copy of the school's Standards Assurance Report
 - d. Latest copy of the school's Special Education Monitoring Report
 - e. Copy of the 2008-2009 School Report Card
 - f. Copy of the 2008-2009 Equity Compliance Report
 - g. Fiscal year 09-10 Cycle 1 Validation Report. If the data comparison indicates a variance outside of stated ranges, that data is highlighted, provide an explanation of the reason for the variance.
 - h. June 30, 2009 Detailed Statement of Changes in Fund Balances
 - i. November 30, 2009 Detailed Statement of Changes in Fund Balances
 - j. June 30, 2009 Summary Revenue Status Report
 - k. November 30, 2009 Summary Revenue Status Report
 - l. June 30, 2009 Summary Expenditure Status Report
 - m. November 30, 2009 Summary Expenditure Status Report
 - n. June 30, 2008 Audit, if available
 - o. June 30, 2007 Audit, or most recent audit reviewed by the Legislative Joint Auditing Committee. Include all correspondence with the Legislative Joint Auditing Committee.

- p. June 30, 2009 Bank Reconciliation report, including corresponding bank statement. If any adjustments were made to the school's books to balance to the bank statement, include a comprehensive description of the adjustments.
 - q. November 30, 2009 Bank Reconciliation report, including corresponding bank statement. If any adjustments were made to the school's books to balance to the bank statement, include a comprehensive description of the adjustments.
 - r. MHHS Career Academies Attachments
5. Return completed application and all required copies no later than **Friday, January 15, 2010** to:

**Arkansas Department of Education
Public Charter School Office
Four Capitol Mall, Room 105-C
Little Rock, AR 72201**

Mountain Home Public Schools

Dr. Charles Scriber
Superintendent



Mr. John Calaway
Assistant Superintendent

2465 Rodeo Drive
Mountain Home, AR 72653
870-425-1201(phone) 870-425-1316 (fax)

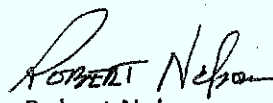
December 8, 2009

To Whom It May Concern:

The Mountain Home School Board of Education unanimously approved the Mountain Home High School Career Academies Conversion Charter Renewal Application at their regular board meeting,
December 17, 2009.

Sincerely,


Charles R. Scriber
Superintendent


Robert Nelson
Board President

Conversion District Charter School Renewal Application

Section I - Contact Information:

School District Name:	Mountain Home Public Schools
Name of Charter School:	Mountain Home High School Career Academies
School LEA #:	0303703
Student CAP: as approved by charter	1600
Grades Served: (as approved by charter)	9-12
Name of Principal/Director: Mailing Address: Phone Number: Fax Number: E-mail address:	Mrs. Dana Brown, Principal Ms. Brigitte Shipman, Academy Coordinator 500 Bomber Blvd. Mountain Home, AR 72653 870-425-1215 870-508-6097 <u>dbrown@mtnhome.k12.ar.us</u> <u>bshipman@mtnhome.k12.ar.us</u>
Name of Superintendent: Mailing Address: Phone Number: Fax Number: E-mail address:	Dr. Charles Scriber 2465 Rodeo Drive Mountain Home, AR 72653 870-425-1201 870-425-1316 <u>cscriber@mtnhome.k12.ar.us</u>

Superintendent's Signature



Date

12/9/09

Section II – Enrollment and Student Demographics:

In the spaces below, please list the total district enrollment, the enrollment of the charter school, grades served by the charter school, and the enrollment of students in the charter by classification requested.

Current District Enrollment (2009-2010): 3979

Charter School Enrollment (2009-2010): 1203 **Grades Served (2009-2010):** 9-12

Charter School Enrollment by Year: 2008-09 1187 2007-08 1175 2006-07 1226 2005-06 1206

Grades Served by Year: 2008-09 9-12 2007-08 9-12 2006-07 9-12 2005-06 9-12

	Current Charter School Enrollment by Category	Current Percentage of Students Enrolled in Charter School	Current District Enrollment by Category	Percentage of Students Enrolled in District
Special Education	75	6	353	8.9
Gifted & Talented	77	6	175	4.4
Migrant Students	1	0	3	0
LEP Students	2	0	28	.7
African-American	6	.5	16	.4
Asian	7	.5	29	.7
Hispanic	13	1.1	77	2.0
Native American	12	1.0	32	.8
Caucasian	1165	97	3825	97
Free & Reduced Lunch	554	46	2159	54

Section III – Admissions Policy

In the space provided, describe the methods for applying for admission, enrollment criteria, and student recruitment and selection processes, including the process for the admission of students by a lottery (*A charter school that is over-enrolled must use a random, anonymous student selection process to be eligible to receive federal funds*).

In 2003, Mountain Home High School Career Academies implemented the wall-to-wall career academy model. All students' grades 10-12, faculty, and administrators are members of an academy. Our staff divided into three teams to create three small learning communities: ACME – Architecture, Construction, Manufacturing, Engineering; CAB – Communications, Arts, Business; and HHS - Health Science Human Services. This systemic reform serves two functions: advisory and curricular. The goals of our academies are to increase rigor in every course for every student; to establish the advisory structure so that every student has one caring certified staff member as an advisor; and to increase curricular relevance through experiential work involving business/industry partners. The three academy teams mapped and aligned all curricula to develop integrated lessons and projects based on the Arkansas Curriculum Frameworks.

Students choose their academy following this process: In 9th grade, each student takes a Keystone class, a one-semester local requirement that provides the student with information necessary to make an academy choice. The student makes a one-year commitment to an academy; at the end of that school year, he/she may ask to change academies. For students entering MHHS Career Academies after the 9th grade, they are interviewed by our counselors and take a short interest and personality survey to assist in choosing an academy.

In 2005, the State Board of Education granted inclusion of the 9th grade into the current charter configuration. MHHS Career Academies has grades 9-12 under LEA# 0303703. All 9th grade students are assigned a faculty advisor. This has allowed advisors to develop a Freshman [9th Grade] Academy designed to better transition students from 9th to 10th grade. The Freshman Academy is a transition piece designed to create the foundation needed to insure success in the high school career academies – grades 10-12. The Academic Advisory Program in the fall of 2007 expanded into a district transition team which includes curriculum alignment grades 5-12. Through this transition committee, Freshman Academy advisors have continued to strengthen curriculum integrations and implement a strong advisory connection for students. Our 9th grade is located with the 8th grade in a separate building on a campus up the hill from grades 10-12. The 9th grade has its own wing, a team of 9th grade teachers, and a separate lunch schedule, all of

which contributes to sustaining the Freshman Academy model. (See original charter for full program description.)

Use additional space as needed

Section IV – Performance Goals

Part A: Original Performance Goals

In the space provided, list each of the school's student academic performance goals contained in the original charter and provide supporting data and narrative documentation of the school's progress in achieving each goal.

Please note: MHHS Career Academies intends to continue our emphasis articulated in our original goals:

A. To continue to increase our student performance on EOC tests;

Charter status has allowed the creation of Accelerated Growth Session (AGS), Point-in Time Intervention (PIT), and Academic Advisory Program (AAP), through flexible scheduling. Every Wednesday students that scored Basic or Below Basic on EOC and 11th grade literacy exams participate in AGS to meet the state requirement to address remediation to their Academic Improvement Plan (AIP). Also, if a student has a D/F in a core class, that student is assigned to PIT to make-up assignments to replace the failing grade. During AGS and PIT teachings in tow academies are provided a common planning time to develop integrated projects, address at risk students, and participated in tuning protocols for lesson improvement. The third academy team supervises AGS and PIT. Academy teams rotate between supervising students and planning time activities throughout the month. The AAP program is a support system for each student which offers students a teacher whose role is to council both academically and personally for three consecutive years. Our advisory classes are divided by academy for both teachers and students. Each student will have the same advisor for three years provided they do not switch academies. Through our AAP we have a mentorship program (see attachment 1) that brings in business partners for all 57 of our advisory classes. Their role connects careers and life skills with AAP students. Mentors meet once a month with students. The advisory program has an aligned curriculum grades 5-12 which has been developed through our district transition program. This curriculum is designed to meet the needs of students according to their grade level. Our students meet once a week for advisory class. The programs that have been discussed support and contribute to our increase in student performance on the EOC tests as seen in the Annual Report to the Public. (see attachment 2)

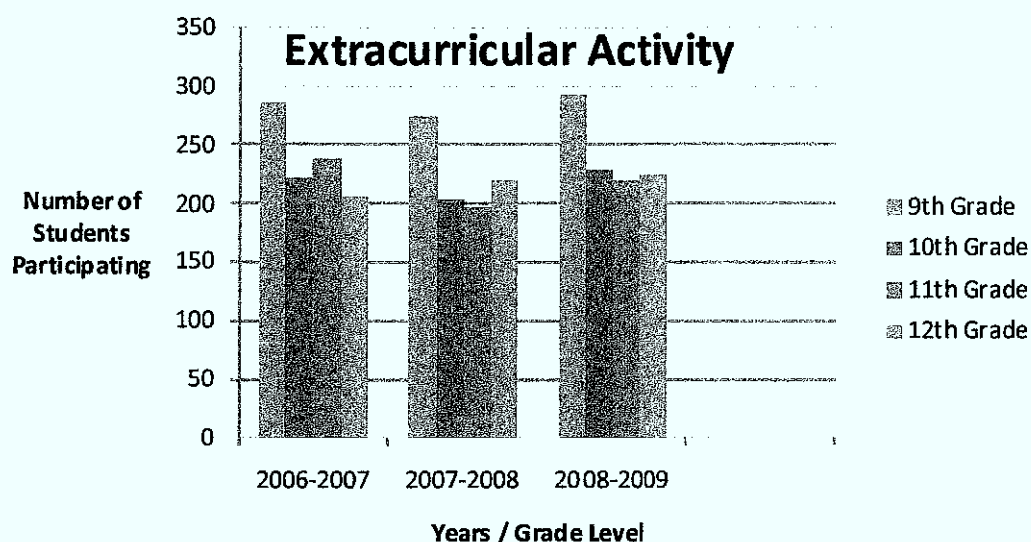
B. To continue to refine 9th –12th grade student six-year post-secondary plans; this goal continues to be met with several transition pieces.

- Keystone is a mandatory class that all freshmen are required to take which includes interest inventories, life skills, academy transition and choice, 6-year educational plan.
- Freshman Transition Program has been developed to prepare students from experiencing a traditional school environment to a career academy high school. This program brings freshman to the high school through extended advisory, transition day which has turned into a district transition day, high school registration, and Sophomore Orientation. Each of these transition pieces reinforces and references their 6-year educational plans.
- Academic Advisory Program description is stated above under part A.

- Student Led Conferences are in their second year and have been added to our AAP curriculum to offer students the opportunity to prepare for post-secondary life, and to articulate them in away which gives them a better understanding of their current educational plan and to self evaluate how to become successful in reaching their goals.

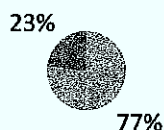
C. To continue to increase student participation in extra/co-curricular activities.

Student participation in extra/co-curricular activities are tracked through student completed forms. Also, students are advised during AAP by linking activities with each academy. Students are able to make better choices on participating in activities when the connection is made to their academy.



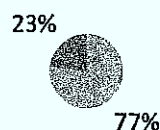
**2006-2007
School Year**

Students Participating
Students not Participating



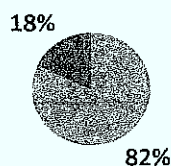
**2007-2008
School Year**

Student Participating
Students Not Participating



2008-2009 School Year

Students Participating
Students Not Participating



D. To provide a stronger transition and support system for the critical first year of high school, 9th grade, by implementing the following: Although this topic is covered in Section VII: Amendments, from the original charter it is also critical to our goal design. Dr. Ken James, Director of ADE, approved inclusion of the 9th grade in our Charter LEA in June 2005 so we could submit a Federal Small Learning Communities grant application. The Small Learning Communities grant was denied and as a result several performance goals were not met.

To offer our 9th grade students the same opportunity for remediation on Wednesday morning as is available to our 10-12 grades. The 9th grade students were given the same opportunity for remediation in the school year of 06-07. This did not continue for several critical reasons. This remediation provides mandated additional help for students who have not score at the Proficient level on state tests; offers mandated additional help in core classes when student is not maintaining a C or better grade; offers elective enrichment with ACT practice, peer tutoring, etc. The 9th grade students were given the same opportunity for remediation in the school year of 06-07. This did not continue for these critical reasons:

- Student accountability became an issue. Many of these students were not able to drive to school. Their transportation to get to school was either parents transporting them or through bus transportation. The issue was how to supervise students who were not in remediation. Discipline problems increased during this time and as a result this dissolved
- As a result to meet the remediation needs a Point in Time classroom was created to pull students from their elective classes if they were at risk with a D or F in math or English. Later all classes were added with an emphasis on math or English. Students who do not score either proficient or advanced on the state Benchmark exam are remediated in conjunction with PIT students.
- To expand our systemic reform to include a 9th Grade (freshman) Transition Academy.

Although housed on the same campus with the eighth grade, the ninth grade has its own wing, separate faculty, and separate lunch. The Freshman Academy will be designed to support the Keystone class in helping students and parents realize that ninth grade begins high school. Teamed advisories will lead activities for students/parents to acquaint them with calculating student GPA, counting credits, making an informed choice about academy selection for 10th grade, etc. Other possibilities for the 9th Grade Transition Academy could include:

The Summer Bridge Program is designed to maintain and improve literacy and math skills with teachers in a non-academic setting prior to the beginning of school; community volunteers/business partners to purchase reading material. This program did not develop as a result of the SLC grant being denied that was to fund this program.

"Reality Check" for 9th graders: An intervention program for all 9th graders designed to stress abstinence and to present the realities of teen pregnancies, STDs, etc. Speakers will include lawyers, nurses, ObGyn, and teen parents. This intervention program continues to educate 9th graders about teen pregnancies, STDs and how to make better choices for themselves. In addition, we have counselors assist in comprising a list of high risk teen girls' grades 9-12. These teen girls are invited to

come to Teen Girls Go to College. An agenda of activities can be seen in attachment 3. This program offers tours of our local college Arkansas State University of Mountain Home, Motivational Speakers, Financial Aid counseling, and scholarships.

"Real Life" for grades 9-12: A mentoring program for high school students who are parents to partner them with successful adults who had similar experiences. Program includes daycare, financial aid, coping with stress and other techniques

The program "Real Life" for grades 9-12 could not developed without the financial assistance from the SLC grant that was denied. We have other programs in place to help prevent teen pregnancies that have already been discussed.

E. To increase parent/community involvement in raising student achievement through specific participation in classes, internships, advisories, etc.

Although this has been an ongoing process in grades 10-12 through our Partners in Education (PIE) organization, it was never articulated as a specific charter goal. In fact, once we restructured into three academies, our parent/community participation literally grew exponentially. The academy special events include intense community/parent participation in Academy Kick-off Day, Forum Friday and Academy Celebration Day. These events are organized by the Academy Coordinator and the PIE Building Coordinator. With the inclusion of Grade 9, this parent/community involvement already begun in the Keystone classes can be aligned more with high school involvement. For instance, there is a PIE volunteer who attends Academy meetings one Wednesday per month to connect community speakers, assist in integrated projects, etc. With common planning time for the advisory teams, a PIE volunteer might also meet regularly to assist in connecting to assist in connecting parents/community with classes, projects, etc. Student achievement has increased as seen in the Report to the Public information. (see attachment 2)

The parent/community involvement has been successful and continues to grow and support our career academies. The programs mentioned above are still in existence.

1. The Academy Kick-off Day and Academy Celebration Day are facilitated by the Academy Coordinator, the building principals, the three Academy Team Leaders, PIE Building Coordinator and student Academy Representatives. Each academy has a selection process in selecting Academy Representatives. These students meet and organize these events. They represent the student body in planning events that are student led. The Academy Representatives also play a role in Open House, Sophomore Orientation, Freshman Transition, and Student Panels.
2. Business Advisory Board is comprised of business leaders and school board members who represent each academy based on their specific careers. The board meets four times a year and advises our academy team who includes the academy coordinator, three academy leaders, building principal. This board also hosts our teacher externships.
3. Mentorship Program has been mentioned earlier, but is the most successful community piece added to date. This program began in the spring of 05 and is

comprised of community business partners who come once a month to mentor students through our advisory program. We currently have 57 AAP classes and all have two mentors. These mentors are committed to serve their AAP classes beginning with the student's sophomore year and stay with them until they graduate. Our program has been written in manual form and is recognized at the state and national levels. (see attachment 1)

Measurement of Goals connected with expanding our charter to include 9th Grade:

Measuring the success of our proposed 9th grade supports will include the following:

1. Student/parent/faculty surveys evaluating effectiveness of advisory information during advisory time and as offered in Open House and Parent/Teacher conferences;
The evaluation assessment was conducted during the spring semester. The survey did not produce the appropriate results, as the student/parent response population was not high enough to obtain an accurate picture. The survey and collection of the survey for future data will be revised.
2. Tracking student success in 9th grade by reducing the number of D's /F's in core courses.
Tracking student progress for D's/F's is ongoing. Failing grade reports are utilized to monitor student progress and to place them into remediation class at the freshman transition academy. District policy adopted in 2005, after the charter renewal process was complete dictated how core courses were viewed in terms of retention. Class standing is determined by English and math placement and the number of credits earned. A student wishing to come to the high school campus from the freshman transition academy must have four completed credits. Two of the four credits must be English I and a full year of math. In 2006-07, 14 students recovered credit in order to move to the high school campus, 15 students in 07-08, and three students in 08-09.
3. Tracking graduation rates, GED numbers, and drop-out statistics. This information is tracked by local means through attendance records in APSCN. Student records are coded to indicate why they are no longer in attendance. Our graduation rates are monitored through our NORMES data to insure we meet AYP targets. (see attachment 4). The GED and drop-out statistics are coded the same in APSCN. The total numbers of students withdrawing for GED/ lack of interest/ lack of attendance / home school for 06-07 were 98, 07-08 was 68, and for 08-09 are 48. The GED numbers for 06-07 was 26; 07-08 was 13, and 12 in 08-09.

F. To target our economically disadvantaged students 9-12 – our largest subgroup

A major risk factor to academic success is economic disadvantage. In our district, this is evidenced by the fact that only 12.8% of the county's residents hold a bachelor's degree, nearly 4% less than the state average; additionally, the county's median income is \$3,000 lower than the state average. In 2005-2006, the district will qualify as having "severe need" under federal guidelines for free and reduced lunches. See TABLE 1 below – Poverty Indicators.

TABLE 1: POVERTY INDICATORS

Free and Reduced Lunch Program	60% (based on students identified in kindergarten)
Note: Participation in the Free/Reduced Lunch Program drops from 60% to an average of 35% in grades 8-12 as older students become increasingly reluctant to report family need.	The MH District is classified as District in Severe Need.
10 th and 11 th grade students who work and contribute to family support.	21%: 10 th -11 th grades 12 th grade was not surveyed.

Currently the free and reduced population in grades 9-12 is at 46%.

Our goal is to accomplish the following with this subgroup:

- Raise EOC and Benchmark performance to meet Adequate Yearly Progress.
- High school graduation rates will meet or exceed AYP targets.

Presently, the federal government has classified Mountain Home School District as a District in Severe Need. This designation recognizes that 60% of our students in primary grades receive free/reduced lunch. That percentage does not change as the students grow older, but rather that as they grow older, they are less willing to claim that designation.

Measurement of Goals connected with targeting our economically disadvantaged students

Obviously there is major overlap in our two goals. Many of the at-risk students who perform poorly in 9th and 10th grades and need the support systems outlined in goal #1 are in the economically disadvantaged as defined by free/reduce lunch criteria. How effectively we support this population can be measured by the following data:

1. Disaggrating EOC and Benchmark test scores specific to free/reduced lunch student population; The chart below shows the data for 05-09 proficient and advanced test scores for algebra I, geometry and literacy. The below basic and basic scores are shown in an attachment. In an effort to monitor academic progress as students' transition into the academy environment, we will continue to include all algebra I and geometry scores as one population. This comprehensive overview of their academic progress will allow for a successful transition.

Year	Algebra 1		Geometry		Literacy	
	N	Pct PRO or ADV	N	Pct PRO or ADV	N	Pct PRO or ADV
2005	126	57.1	65	38.5	82	31.7
2006	184	64.7	92	44.6	106	38.7
2007	223	57.0	142	52.1	111	57.7
2008	135	65.9	181	56.9	101	54.5
2009	153	71.9	134	76.1	110	75.5

(See Attached ACTAAP data – attachment 5)

2. Track the number of students at the ninth grade within this sub-population as they move through four years of high school to see how many actually graduate and move into their post-secondary plan. The Jobs for Arkansas Graduates (JAG) program includes as entry criteria a review of barriers that keep a student from graduating. One of the barriers used to identify potential program candidates is their free and reduced lunch status. This program requires that students be tracked for one year after graduation. This data has been used to track students to see how many have moved into their post-secondary plan. (see attachment 6) Students are tracked by APSCN data in the attendance section. Also, students develop a six year plan in keystone class that provides them with a guide for post-secondary planning. This plan follows them throughout their high school career. Transcript requests are monitored when students have the counselors' office send to college admission offices.

G. To Increase the Number of DWE Programs of Study Completers

As we have developed integrated projects between core curricula and career/tech. curricula and developed our academy advisories, our staff has become knowledgeable about the value of being a program completer. Attached is the worksheet our students/advisors use to track program requirements. Attention to these opportunities has made faculty, students, and parents aware of possible career pathways and strengthened student/faculty awareness about relevancy of coursework in terms of post-secondary planning. All students have benefited from this focus. To accomplish this, our academy teams routinely review the Programs of Study criteria. As advisors, they work on this with advisees during our advisory sessions. We will extend this work to the 7th grade where some foundation courses are taken through 9th grade. Currently a consistent tracking system does not exist. We also will in-service teachers 7-9 about Programs of Study and their efficacy in helping students stay on-track to graduate.

Measurement of Goal to Increase Program Completers

1. Tracking each student that begins a Program of Study through advisories 9-12. Student information concerning Program of Studies is tracked by a local database. District faculty can access the workforce education Program of Study information through the school district website.
2. Comparing our final number this year 2005 – 41 Program Completers with every succeeding year.

Program of Study Completers with each succeeding year since 2005 are as follows:

05-06 51 plus 13 of these students completed two programs of study
06-07 94 plus 22 of these students completed two programs of study
07-08 111 plus 35 of these students completed two programs of study
08-09 94 plus 43 of these students completed two programs of study

H. To expand credit recovery and to create an on-campus alternative learning environment 9-12 so that students who are in academic distress may recover credit through the high school instead of through the Baxter County Alternative School.

Currently, many of our students in academic distress are referred to the BCAS. This alternative learning center is most effective with behavioral issues; however, we believe an on-campus system for academic support where appropriate is also needed. While the plan for this alternative learning environment is not finalized, we envision the following as possibilities for an on campus alternative learning environment.

- **Credit recovery courses** other core courses added to that in English. We must also intervene more dramatically for 9th and 10th grade at-risk students who are seriously deficient in credits (lacking 3 or more credits to be classified at grade level.) The Arkansas Dept. of Education Virtual School headed by Ms. Sandy O'Reilly is a possible source for high-level curricula.

As a result to meet 9th grade remediation needs a Point in Time classroom was created to pull students from their elective classes if they were at risk with a D or F in math or English. Later all classes were added with an emphasis on math or English. Students who do not score either proficient or advanced on the state Benchmark exam are remediated in conjunction with PIT students.

Credit recovery is currently being addressed in grades 10-12 in the following venues: Summer school for students that failed biology, algebra I, and English; correspondence courses; Arkansas

Virtual High School which is a program through the Arkansas Department of Education; and students are assigned into point in time intervention during the late start day if they have failed assignments in core courses in an effort to replace the failing grades. This program will be expanded into new performance goals.

- **Academic Intervention Module (AIM)** While no final model has been developed; we want to create an alternative for students in the second semester ninth grade or first semester tenth graders who fail a core course. The ADE Virtual School may be a realistic source. We can also utilize the Kurzweil software already available to adapt to learning disabilities.
The Academic Intervention Module (AIM) This model did not develop due to the lack of funding. We did not receive the SLC grant that would have funded this program.

Measurement of Goals to Create Credit Recovery and Alternative Learning Environment

Measurement goals below were not met due the lack of funding as we did not receive the SLC grant.

1. Track the number of 9th graders who enter 10th grade with necessary requirements.
2. Track the number of students 9-12 who graduate.
3. Cross-reference the number of economically disadvantaged students with the students in need of credit recovery methods as the populations served in these two goals overlap.

Part B: New Performance Goals

In the space provided, list student academic performance goals that the school would like to add to their charter for the next five years and provide data and narrative documentation on how the school will measure progress toward achieving each goal.

Please note: MHHS Career Academies intends to continue our emphasis articulated in our original goals:

- A. To continue to increase our student performance on EOC tests;**
- B. To continue to refine 9th –12th grade student six-year post-secondary plans; this goal continues to be met with several transition pieces.**
- C. To continue to increase student participation in extra/co-curricular activities**
- D. To provide a stronger transition and support system for the critical first year of high school, 9th grade, by implementing the following:**
 - In the original goals pieces were not achieved due to lack of funding; therefore, as a result to meet the remediation needs a Point in Time classroom was created to pull students from their elective classes if they were at risk with a D or F in math or English. Later all classes were added with an emphasis on math or English. Students who do not score either proficient or advanced on the state Benchmark exam are remediated in conjunction with PIT students.

- Continue the “Reality Check” program as previously mentioned.
- E. To increase parent/community involvement in raising student achievement through specific participation in classes, internships, advisories, etc.**
- F. To target our economically disadvantaged students 9-12 – our largest subgroup**
- G. To Increase the Number of DWE Programs of Study Completers**
- H. To expand credit recovery and to create an on-campus alternative learning environment 9-12 so that students who are in academic distress may recover credit through the high school instead of through the Baxter County Alternative School.**
- As a result to meet 9th grade remediation needs a Point in Time classroom was created to pull students from their elective classes if they were at risk with a D or F in math or English. Later all classes were added with an emphasis on math or English. Students who do not score either proficient or advanced on the state Benchmark exam are remediated in conjunction with PIT students.
 - Credit recovery is currently being addressed in grades 10-12 in the following venues: Summer school for students that failed biology, algebra I, and English; correspondence courses; Arkansas Virtual High School which is a program through the Arkansas Department of Education; and students are assigned into point in time intervention during the late start day if they have failed assignments in core courses in an effort to replace the failing grades. This program will be expanded into new performance goals.
 - To create a transitional classroom that addresses credit recovery needs for grades 9-12. Currently our district has adopted a policy that does not assist in any funding for our summer school program regardless of family income status. Student's who do not pass either Math or English and are either unable to attend summer school or who fail summer school are required to stay at a freshman status. This is problematic for our students on many levels, but it requires them to retake classes they have already taken due to the fact that our freshmen are housed on a separate campus. We would like to develop a credit recovery program which would allow students who qualify to recover high school credits on our high school campus. While students are recovering their credits they will also be transitioning into the high school community rather than repeating their freshman year based on one or two failed classes.

Components of the transitional classroom:

- One classroom with two classroom teachers who would be certified to teach Math or English.
- No more than 15 students in this transition room.
- Depending on students needs and credit status would be transitioned into a sophomore class status.

- Scholarship opportunities for students who make a successful transition from our local Mountain Home Education Foundation organization.
- Funding for this program is possible from government grants or local funding sources.
- Incorporate the use of our Distance Learning Lab for recovery options depending on what curriculum is available at the time.

Measurement of Goals to Create a Transitional Classroom

- A. Track the number of 9th graders who enter 10th grade with necessary requirements.
- B. Track the number of students 9-12 who graduate.
- C. Cross-reference the number of economically disadvantaged students with the students in need of credit recovery methods as the populations served in these two goals overlap.

Section V – Test Data

On the following pages, provide test data on the students' academic performance on the required State assessments, and any other assessment instruments utilized by the charter school. Provide narrative documentation to explain each year's performance and how this supports the charter school's academic goals.

Narrative on Academic Performance Test Data

End-of-level/State tests

The Arkansas Comprehensive Testing, Assessment and Accountability Program (ACTAAP) measures students' mastery of a subject such as literacy or mathematics. According to the No Child Left Behind Act of 2001, all (100%) students are expected to be proficient by 2014.

Table 1 displays the percent of students whose scores were classified as "Below Basic" or "Basic" for the three most recent years. Between 2007 and 2009, the percent of students with scores classified as "Below Basic" or "Basic" on the ACTAAP 11th grade literacy exam fell 16.4%. This means that the percent of students with scores classified as "Proficient" or "Advanced" increased from 66.5% in 2007 to 72.0% in 2009, representing an improvement of 8.3% in student performance.

During the same time period, the percent of students with scores classified as "Below Basic" or "Basic" on the ACTAAP Algebra I and Geometry end-of-course exams fell 46.6% and 35.03% respectively. In other words, the percent of students with scores classified as "Proficient" or "Advanced" on the Algebra I end-of-course exam increased from 63.5% in 2007 to 80.5% in 2009, an improvement of 26.8%. In Geometry, the percent of students with scores classified as "Proficient" or "Advanced" rose from 70.6% to 80.9%, an improvement of 14.6%. In an effort to monitor academic progress as students' transition into the academy environment, we will continue to include all algebra I and geometry scores as one population. This comprehensive overview of their academic progress will allow for a successful transition.

Test	2007	2008	2009
Literacy	33.5	34.3	28.0
Algebra I	36.5	23.9	19.5
Geometry	29.4	37.4	19.1

Table 1: Percent students scoring "Below Basic" or "Basic"

Norm-referenced tests

Unlike ACTAAP, the Iowa Test of Basic Skills (ITBS) does not measure mastery. Instead, ITBS attempts to compare a student's performance to his peers. Test developers typically use a national cohort of students to calibrate and norm the tests. Results are published as percentile ranks, indicators of how well a student performed compared to his peers. For example, a percentile rank of 63 means a student performed better than 63% of students who took the test.

Table 2 displays percentile ranks for the combined populations of 8th- and 9th-grade students from 2007-2009. With one building housing these grades in Mountain Home, percentile ranks for both the school and the district are identical. Therefore the heading labeled "Bldg" in Table 2 pertains to both the building and the district.

Grade	Subtest	2007		2008		2009	
		Bldg.	AR	Bldg.	AR	Bldg.	AR
8th	Reading	60	50	68	53	62	50
	Mathematics	64	50	78	64	80	66
	Writing/Language	n/a	n/a	54	41	55	43
9th	Reading	65	50	64	50	59	50
	Mathematics	47	50	69	50	73	50
	Writing/Language	n/a	n/a	62	50	59	50

Table 2: Percentile ranks, ITBS, 2007-2009

Different cohorts take the exams each year. Therefore, annual fluctuations are not unusual. One can infer from Table 2, however, that percentile ranks for Mountain Home are consistently higher than many other Arkansas districts.

Use additional space as needed

Benchmark Exams – (Use Combined Population)

2006-2007 – Charter School

	Total # Tested	% Below Basic	% Basic	% Proficient	% Advanced
3 th Grade Literacy					
3 th Grade Mathematics					
4 th Grade Literacy					
4 th Grade Mathematics					
5 th Grade Literacy					
5 th Grade Mathematics					
6 th Grade Literacy					
6 th Grade Mathematics					
7 th Grade Literacy					
7 th Grade Mathematics					
8 th Grade Literacy					
8 th Grade Mathematics					
End of Course Exam – Alg. 1	419	5.49	31.03	41.05	22.43
End of Course Exam – Geometry	442	5.66	23.76	41.62	28.96
Grade 11 – Literacy Exam	280	3.21	30.36	63.22	3.21

2006-2007 – District Totals

	Total # Tested	% Below Basic	% Basic	% Proficient	% Advanced
3 th Grade Literacy					
3 th Grade Mathematics					
4 th Grade Literacy					
4 th Grade Mathematics					
5 th Grade Literacy					
5 th Grade Mathematics					
6 th Grade Literacy					
6 th Grade Mathematics					
7 th Grade Literacy					
7 th Grade Mathematics					
8 th Grade Literacy					
8 th Grade Mathematics					
End of Course Exam – Alg. 1	419	5.49	31.03	41.05	22.43
End of Course Exam – Geometry	442	5.66	23.76	41.62	28.96
Grade 11 – Literacy Exam	280	3.21	30.36	63.22	3.21

Augmented Benchmark Exams – (Use Combined Population)

2007-2008 – Charter School

	Total # Tested	% Below Basic	% Basic	% Proficient	% Advanced
3 th Grade Literacy					
3 th Grade Mathematics					
4 th Grade Literacy					
4 th Grade Mathematics					
5 th Grade Literacy					
5 th Grade Mathematics					
5 th Grade Science					
6 th Grade Literacy					
6 th Grade Mathematics					
7 th Grade Literacy					
7 th Grade Mathematics					
7 th Grade Science					
8 th Grade Literacy					
8 th Grade Mathematics					
End of Course Exam – Alg. 1	322	6.21	17.70	35.70	40.38
End of Course Exam – Alg. II					
End of Course Exam – Geometry	380	2.63	34.74	40.53	22.10
End of Course Exam - Biology	342	14.33	40.35	32.46	12.86
Grade 11 – Literacy Exam	277	3.61	30.68	63.54	2.17

2007-2008 – District Totals

	Total # Tested	% Below Basic	% Basic	% Proficient	% Advanced
3 th Grade Literacy					
3 th Grade Mathematics					
4 th Grade Literacy					
4 th Grade Mathematics					
5 th Grade Literacy					
5 th Grade Mathematics					
5 th Grade Science					
6 th Grade Literacy					
6 th Grade Mathematics					
7 th Grade Literacy					
7 th Grade Mathematics					
7 th Grade Science					
8 th Grade Literacy					
8 th Grade Mathematics					
End of Course Exam – Alg. 1	322	6.21	17.70	35.70	40.38
End of Course Exam – Alg. II					
End of Course Exam – Geometry	380	2.63	34.74	40.53	22.10
End of Course Exam - Biology	342	14.33	40.35	32.46	12.86
Grade 11 – Literacy Exam	277	3.61	30.68	63.54	2.17

Augmented Benchmark Exams – (Use Combined Population)

2008-2009 – Charter School

	Total # Tested	% Below Basic	% Basic	% Proficient	% Advanced
3 th Grade Literacy					
3 th Grade Mathematics					
4 th Grade Literacy					
4 th Grade Mathematics					
5 th Grade Literacy					
5 th Grade Mathematics					
5 th Grade Science					
6 th Grade Literacy					
6 th Grade Mathematics					
7 th Grade Literacy					
7 th Grade Mathematics					
7 th Grade Science					
8 th Grade Literacy					
8 th Grade Mathematics					
End of Course Exam – Alg. 1	318	5.97	13.52	37.74	42.77
End of Course Exam – Alg. II					
End of Course Exam – Geometry	308	3.57	15.58	48.70	32.15
End of Course Exam - Biology	269	10.04	39.03	34.94	15.99
Grade 11 – Literacy Exam	286	2.54	25.52	69.58	2.45

2008-2009 – District Totals

	Total # Tested	% Below Basic	% Basic	% Proficient	% Advanced
3 th Grade Literacy					
3 th Grade Mathematics					
4 th Grade Literacy					
4 th Grade Mathematics					
5 th Grade Literacy					
5 th Grade Mathematics					
5 th Grade Science					
6 th Grade Literacy					
6 th Grade Mathematics					
7 th Grade Literacy					
7 th Grade Mathematics					
7 th Grade Science					
8 th Grade Literacy					
8 th Grade Mathematics					
End of Course Exam – Alg. 1	318	5.97	13.52	37.74	42.77
End of Course Exam – Alg. II					
End of Course Exam – Geometry	308	3.57	15.58	48.70	32.15
End of Course Exam - Biology	269	10.04	39.03	34.94	15.99
Grade 11 – Literacy Exam	286	2.54	25.52	69.58	2.45

8th Grade	Charter School 2007 Percentile Rank	Local District 2007 Percentile Rank	State 2007 Percentile Rank
Subtests			
Reading Comprehension	60	60	50
Math Concepts & Estimation.	64	64	50
Problem Solving. & Data Interpretation	60	60	50

8th Grade – Iowa Test of Basic Skills 2007 Percentile Rank by Race

Subtests	African American	Asian	Hispanic	Native- American	White
Reading Comprehension	86	NA	65	44	60
Math Concepts & Estimation.	64	NA	45	27	67
Problem Solving. & Data Interpretation	44	NA	24	43	60

9th Grade	Charter School 2007 Percentile Rank	Local District 2007 Percentile Rank	State 2007 Percentile Rank
Subtests			
Reading Comprehension	65	65	50
Math Concepts & Problem Solving	47	47	50

9th Grade – Iowa Test of Basic Skills 2007 Percentile Rank by Race

Subtests	African American	Asian	Hispanic	Native- American	White
Reading Comprehension	60	78	52	68	65
Math Concepts & Problem Solving	13	97	28	44	47

8th Grade	Charter School 2008 Percentile Rank	Local District 2008 Percentile Rank	State 2008 Percentile Rank
Subtests			
Reading	68	68	53
Writing/Language	54	54	41
Mathematics	78	78	64

8th Grade – Iowa Test of Basic Skills 2008 Percentile Rank by Race

Subtests	African American	Asian	Hispanic	Native- American	White
Reading	NA	89	71	45	68
Writing/Language	NA	61	78	49	54
Mathematics	NA	99	82	71	78

9th Grade	Charter School 2008 Percentile Rank	Local District 2008 Percentile Rank	State 2008 Percentile Rank
Subtests			
Reading	64	64	50
Writing/Language	62	62	50
Mathematics	69	69	50

9th Grade – Iowa Test of Basic Skills 2008 Percentile Rank by Race

Subtests	African American	Asian	Hispanic	Native- American	White
Reading	69	NA	24	45	61
Writing/Language	39	NA	45	39	55
Mathematics	45	NA	42	33	71

8th Grade	Charter	Local	State
Subtests	School	District	2009
	2009	2009	2009
	Percentile Rank	Percentile Rank	Percentile Rank
Reading	62	62	50
Writing/Language	55	55	43
Mathematics	80	80	66

8th Grade – Iowa Test of Basic Skills 2009 Percentile Rank by Race

Subtests	African American	Asian	Hispanic	Native-American	White
Reading	55	NA	34	NA	63
Writing/Language	61	NA	53	NA	55
Mathematics	68	NA	88	NA	80

9th Grade	Charter	Local	State
Subtests	School	District	2009
	2009	2009	2009
	Percentile Rank	Percentile Rank	Percentile Rank
Reading	59	59	50
Writing/Language	59	59	50
Mathematics	73	73	50

9th Grade – Iowa Test of Basic Skills 2009 Percentile Rank by Race

Subtests	African American	Asian	Hispanic	Native-American	White
Reading	NA	53	68	NA	59
Writing/Language	NA	41	61	NA	59
Mathematics	NA	80	65	NA	73

Other Assessments Used:

Provide data and supportive narrative on other assessments, if any, used to measure student academic performance at the charter school.

Summary of National Presentations, Diagnostic Tools and Assessments: Since we implemented career academies under the auspices of our conversion charter school status, we have engaged in deep and sustained professional development and assessment. Two national sources that the Arkansas Department of Workforce Education pays state membership fees for are the Southern Regional Education Board's High School That Work (HSTW) and the National Career Academy Coalition. We have teams of 25-35 for staff development and have presented at 11 national conferences detailing our career academy infrastructure.

Additionally, we have hosted 16 schools who are investigating the academy model. Also, MHHS Career Academies have been named the Showcase Site for the State of Arkansas which gave us the opportunity to host a workshop for Arkansas Career Education. Attached are our brochures, (see attachment 7) power point presentations that provide a sample of our workshop that we present to visiting schools (see attachment 8).

Following is a summary and then a detailed description of some of the more extensive and useful diagnostic and assessment tools we now use.

1. NAEP Test from SREB High Schools That Work
2. The HSTW Technical Assistance: Best Practices and Challenges
3. Reading Counts
4. Kuder Interest Inventory
5. Wednesday morning remediation: Accelerated Growth Sessions, Point in Time
6. Wednesday morning Career Academy Team Common Planning Time
 - Curriculum Mapping and Alignment to create Integrated Projects within Academies based on State Frameworks. (see attachment 9 for example units)
 - Proactive teamed advisory intervention planning
7. Internships and Community Evaluation
8. Increase in Graduation Requirements and Type of Diplomas awarded
9. Development of Leadership Team and Use of Annenburg Protocol for Effective Meetings
10. North Central Accreditation: MHHS has been accredited (see attachment 10)
11. National Career Academy Coalition (NCAC): "Model" and "Certified" national status (see attachment 11)

Description of Tools:

1. NAEP Test: As a HSTW member, we administered the NAEP test to 60 seniors in 2004 and 2006. Eleven received the SREB HSTW Academic Award of Excellence. As we test the same number in January of 2010, we hope to increase that number. The assessment is comprised of subject tests for 12th-grade students in reading, mathematics and science, a student survey, and a teacher survey. Because Arkansas' Department of Workforce Education is a member state, DWE disaggregates the test and survey data to assist us in identifying academic strengths and weaknesses.
2. TAV Evaluation: Also as a HSTW member, we host a three-day HSTW technical assistance visit every two years. The evaluating team is made up of teachers and administrators outside our district, a HSTW consultant, parents and school board

members from our district. Attached is the power point handout detailing best practices and challenges as well as how we plan to address the challenges. Also attached are the HSTW goals and how they connect with small learning communities – career academies (see attachment 12). We have implemented each of the key practices.

3. Reading Counts: A Scholastic, Inc., computer program located on the school's network that allows students to test on computer over books they have read. Using the Reading Inventory, students can be tested on their Lexile Reading Level. **Flexible**- provides results that are linked to high stakes standardized tests and provides guidance for classroom instruction and independent reading. **Targets**- struggling readers by immediately identifying those who need extra help and intervention and alerts the teacher to this when he/she logs on. **Research based**—The Lexile Framework developed by the National Institute of Child Health and Human Development.
4. Kuder Interest Inventory: Accessible online, this interest inventory allows students to identify areas of interest. Offered as part of Keystone class to assist them in identifying their areas of strength and interest as they ultimately select their academy placement.
5. Remediation Sessions: Accomplished through a waiver, MHHS Career Academies conduct remediation sessions for students scoring less than proficient and for intervention in students whose grades in their core classes are at a D/F. These sessions are held every Wednesday morning from 8:00 – 8:50 and are treated like a class. Students who have scored well on the EOC and Benchmark tests and whose grades are at a C level or higher may come to school at 8:50 when first block begins. This has proven to be a huge incentive to do well and allowed for real specific intervention where necessary.
6. Common Planning Time and Special Events: Also accomplished through the waiver, MHHS Career Academies created a common planning time for academy teams on Wednesday morning in conjunction with the remediation AGS sessions. While one team oversees the remediation sessions, two other academy teams meet. It is during this time that refined curriculum integration occurs, advisors work to create effective and proactive interventions before at-risk students fail, and special academy events are planned.
 - Forum Friday – our Academy Partners in Education, our academy leaders, and academy coordinator organize a morning during which 64 community business people made presentations to our advisories about their personal career journeys. Each advisory attended four academy specific presentations.
 - Academy Kick-off Day – each year the academy kick-off day introduces the students to the specific academy themes and projects. Themes have included the HHS Academy theme PIES – physical, intellectual, emotional, and social fitness. This project is how our mentoring program began with two young professionals (total of 44 community people) mentor an HHS advisory throughout the year. Our mentor program has grown to each academy. Through our AAP we have grown our mentorship program (as per attachment) that brings in business partners for all 57 of our advisory classes. Their role connects careers and life skills with AAP students. Mentors meet once a month with students. Past ACME themes have included campus beautification and building a pavilion for students and

community. Currently, ACME is building a Health and Fitness Community Trail. Also, the CAB academy themes have been Around the World; projects hinge on inter-cultural study, educational history of Mountain Public School, community based project called ICE AID to help support the victims of the ice storms of 2009. This year their project is a Film Festival.

- Academy Celebration Day – each May the academies celebrate the work accomplished. We have videos, power point presentations, and interactive demonstrations. The Academy Kick-off Day (see above) and Academy Celebration Day are facilitated by the Academy Coordinator, the building principals, the three Academy Team Leaders, PIE Building Coordinator and student Academy Reps. each academy has a selection process in selecting Academy Reps. These students meet and organize these events. They represent the student body in planning events that are student led. The Academy Reps also play a role in Open House, Sophomore Orientation, Freshman Transition, and Student Panels.

7. Internships and Community Evaluation: After piloting our intern program provided by a waiver, 37 students this semester work at internships within the community. Attached is our internship application and evaluation (see attachment 13). Essentially, students can work one block every other day for a semester. If successful based on the business partner evaluation, student internship logs, etc. – and to date all have been very successful – students receive ½ elective credits for work experience. Next semester, approximately 65 students will be placed. The internships are unpaid. In an effort to create stronger community connections, in the fall of 2009 our internship program partnered with the Mountain Home Chamber of Commerce to place interns. In addition, our internships have expanded to our self-contained special education Community Based Instruction (CBI). The program mirrors already existing intern programs with support built in for student success. The 2009-2010 school year 8 CBI students have been placed in community internships. In April 2009, Arkansas Educational Television Network (AETN) recognized the CBI internship program. Our CBI program fit the profile of preparing students with successful post-secondary skills for the world of work. (see attachment 14)

8. MHHS Graduation Requirements and Diplomas:

- College Prep with Honors Diploma: 26 credits; 3.5 GPA; 2 or more AP Courses
- College Prep Diploma : 26 credits; 2.5 GPA
- General Diploma : 24 credits; 1.0 GPA

9. Leadership Team Structure: To sustain our reform into small learning communities with shared leadership, Dana Brown, principal, created a leadership team consisting of her, the two assistant principals, seven department chairs, three academy leaders, academy coordinator, and the two counselors. This team, representing all facets of the school and three academies meets once monthly and follows the Annenburg meeting protocols. It has proved to be a highly effective communication and decision making team.

10. North Central Accreditation: MHHS has been accredited.

11. National Career Academy Coalition (NCAC): ACME and HHS are nationally certified as “Model” academies based on a national review through a written self-assessment process and a site visit. CAB went through the same process and received “Certified” academy status.

Use additional space as needed

Section VI – Waivers

Part A: Original Waivers

In the space provided, *list* each waiver contained in the original charter. Please include Arkansas Annotated Code and Section Title, State Board of Education Regulation Title, and Standards for Accreditation Title Section and Number.

In the space provided, *list* each waiver contained in the original charter.

1. 6-10-106: Uniform dates for begin and end of school year
2. 6-15-902 Uniform Grading Scale
3. 6-15-1004 Qualified teachers
4. 6-16-102 School Day
5. Waiver: Granting elective science credit for the following courses:
 - A. Old Name: *Human Body in Health and Disease*- semester course awarded ½ elective science credit. Renamed: *Medical Human Anatomy and Physiology* – now year long course awarded 1 elective science credit.
 - B. Advanced Animal Science: semester class – ½ elective science credit.
 - C. Food Science: semester class – ½ elective science credit.
6. Waiver: To allow Keystone Curriculum to substitute for Career Orientation

Continued Waivers from 2005 Charter Renewal Application

1. We request that the waivers we have in place be extended to the ninth grade. This inclusion is an essential part of our goal to strengthen support systems that transition our students from the 9th grade to the 10-12 career academies. This transition piece insures that students have a more carefully defined academy selection process, have advisories in place to be proactive in insuring their academic success, and be provided with strong remediation opportunities both for state tests and for course work. This inclusion will offer us more flexibility in engaging parents and the business community in student achievement. It is the logical extension and necessary foundation support for our system reform to date into three small learning communities for grades 10-12.
2. We also note that our internship program as outlined in the original charter and piloted last year continues to thrive. It has been applauded by students, parents, and faculty and by our business/industry partners. As stated in the original charter, we have expanded it to include all of the areas listed. It is proving to be an enormous and practical incentive for students to stay in school, stay on track to graduate, and to define their eventual career pathways.

Part B: New Waivers

In the space provided, *list* additional waivers from Title VI of Arkansas Code Annotated, State Board of Education Rules and Regulations, and/or the *Standards for Accreditation* that the school would like to add to their charter for the next five years. Please provide rationale supporting the need for the additional waivers.

We are not requesting any new waivers at this time.

Part C: Waivers To Be Rescinded

In the space provided, *list* any waivers from the original charter that the school would like to have deleted. If no waivers are listed, the school will be required to follow all waivers listed on both the original and renewal charter documentation.

We request to rescind the waiver to grant high school elective credit for two DWE courses taken in the 8th grade: Computer Applications I and Family and Consumer Science. These credits will then count toward their Program of Study and prepare them to take higher level classes sooner. Computer Applications is currently offered at the 8th grade; FACS would be offered if the waiver is granted.

Use additional space as needed

Section VII -- Requested Amendments

Identify any requested amendments to the original charter including, but not limited to, the following:

A) Grade levels to be served and/or enrollment CAP. Provide rationale.

MHHS Career Academies is the only high school in the town of Mountain Home. It operates within the Mountain Home Public School district. Grades served include 10-12 at the high school campus with the 9th grade transition academy located at the Junior High campus but included in the LEA number. Enrollment has increased since renewal in 2005 based on the increase in population in Mountain Home.

The last population census for Baxter County was taken in 2000. The results were that Baxter County had 38,386 residents. It was estimated in 2008 that Baxter County's population had grown to 41,950 residents. In addition, in the 2000 population census the city of Mountain Home had 11,012 residents. In 2008 an estimated population for the city of Mountain Home was 12,000. Due to the community growth our volume of secondary students has increased which is the rationale for our CAP increase request.

B) Changes to the educational program offered.

We do not have any educational program changes at this time.

C) Other

N/A

Use additional space as needed

ATTACHMENT 2

**MOUNTAIN HOME HIGH SCHOOL CAREER ACADEMIES
2008-2009 ANNUAL ACREDIATAION STATUS REPORT**

ANNUAL ACCREDITATION STATUS REPORT (2008-2009)

Run Date: 05/07/2009

Page #: 7

Lea: 03-03-703

School: MTN HOME HIGH CAREER ACADEMICS

2008-2009

Status: ACCREDITED-CITED

Review Date:

Comments: A. MEAD YR. 1 ALP 169; B. MATTOX YR. 1 ALP
169; M. KESSLER YR.1 ALP 004

8313 JOB NOT CERT 09/01/2010 Licensure Completion Deadline
431-67-9171 KYLE MCCARN Cite
690040 Driver's Education (.5 credit)

8313 JOB NOT CERT 09/01/2010 Licensure Completion Deadline
432-35-9320 RONNIE L BLEVINS Cite
439030 Algebraic Connections

8313 JOB NOT CERT 09/01/2010 Licensure Completion Deadline
432-67-7189 AARON MEAD Cite
423000 Physical Science

8313 JOB NOT CERT 09/01/2010 Licensure Completion Deadline
432-67-7189 AARON MEAD Cite
425010 ADE Approved Earth Science

8313 JOB NOT CERT 09/01/2010 Licensure Completion Deadline
505-19-8904 BRYAN MATTOX Cite
423000 Physical Science

8313 JOB NOT CERT 09/01/2010 Licensure Completion Deadline
574-13-7133 MARTHA C KESSLER Cite
440000 Spanish I

2007-2008

Status: ACCREDITED

Review Date:

Comments:

8311 NOT CERTIFIED

431-08-3750 LYNDELL COTTER

2006-2007

Status: ACCREDITED

Review Date:

Comments:

ANNUAL ACCREDITATION STATUS REPORT (2008-2009)

Run Date: 05/07/2009

Page #: 8

Lea: 03-03-703

School: MTN HOME HIGH CAREER ACADEMICS

```
Enrollment-  K      0
              1      0
              2      0
              3      0
              4      0
              5      0
              6      0
              7      0
              8      0
              9     332
             10     270
             11     311
             12     264
             EE      0
             SM      2
             SS     13
             13      0
```

```
Total enrollment for 03-03-703:  1192
```

FTE Totals-

```
Counselor      2.00
Principal       1.00
Asst. Principal 2.00
Library/Media   1.00
```

```
Staff Development Hours:      60
Total Book Volume:             13232
```

ATTACHMENT 3

**MOUNTAIN HOME HIGH SCHOOL CAREER ACADEMIES
SPECIAL EDUCATION LETTER FROM ADE STAFF**



ARKANSAS DEPARTMENT OF EDUCATION

Dr. T. Kenneth James
Commissioner

State Board
of Education

Randy Lawson
Bentonville
Chair

Dr. Naccaman Williams
Springdale
Vice Chair

Sherry Burrow
Jonesboro

Jim Cooper
Melbourne

Brenda Gullett
Fayetteville

Sam Ledbetter
Little Rock

Alice Mahony
El Dorado

Dr. Ben Mays
Clinton

Diane Tatum
Pine Bluff

October 23, 2008

Dr. Charles Scriber, Superintendent
Mountain Home School District
2465 Rodeo Drive
Mountain Home, AR 72653

Dear Dr. Scriber:

I am in receipt of the district's self-analysis of its policies, procedures, and practices used to ensure that they are nondiscriminatory and that students identified utilizing these processes are eligible for receipt of special education services consistent with federal and state criteria.

The district's self-study indicates that the district's policies, practices, and procedures used to identify culturally and linguistically diverse students in need of early intervening services are currently developed and in place.

Your completed self-assessment will be kept on file by our office.

Sincerely,

A handwritten signature in cursive script that reads "Marcia Harding".

Marcia Harding
Associate Director
Special Education

Cc: Debbie Atkinson, Special Education Supervisor
Wanda McWhirt, SEA Supervisor
File

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CHARTER SCHOOL OFFICE

ATTACHMENT 4

**MOUNTAIN HOME HIGH SCHOOL CAREER ACADEMIES
SPECIAL EDUCATION LETTER FROM SCHOOL DISTRICT STAFF**

OFFICE OF SPECIAL EDUCATION

MOUNTAIN HOME PUBLIC SCHOOLS
1230 SOUTH MAPLE • MOUNTAIN HOME, ARKANSAS 72653
Phone: 870-425-1247
Fax: 870-425-1307

Debbie Atkinson, M. Ed.
Director
Judy St. Clair, Financial
Office Manager
Kelly Morris, Medicaid
Student Records

January 10, 2010

Arkansas Department of Education
#4 Capital Mall – Room 105-C
Little Rock, Arkansas 72201

To Whom It May Concern-,

Mountain Home Public School's Special Education population in grades 9-12 is proud to be a part of the Mountain Home High School Career Academy Programs. All of the students receiving Special Education services at that level are enrolled in either a Co-Teaching situation or a Job Coaching/Transition Classroom Setting. Both groups are actively involved in the preparation, presentation and activities as are the students without disabilities in the Mountain Home District.

Ms. Regan's Job Coaching program has received state and national awards for the across curriculum/inclusion strategies and expectations. These students have worked as a team with the ACME academy students to complete or be involved in the following projects:

- Construction and landscaping of the Pavilion on the high school campus
- Planning and participation in the Academic Kick-off games and activities
- Construction and planning of the Green Gazebo Project
- Planning and preparation for the natural wildlife habitat
- Planning and participation in the ACME Celebration Day Activities at the end of the year
- Members of the school-wide Planeteers Club that emphasize recycling around the district
- Responsibilities for the collection and shredding of recycling materials from across the entire district
- Planning and preparation for the proposed Walking Trail behind the high school

These students receive credits for their academic instruction and are also able to participate in Senior Rodriguez's Spanish Class and depending on the student's interests, additional academic and non-academic classes. Credits are gained for graduation and a comprehensive transition plan that emphasized job skills and daily living skills are achieved.

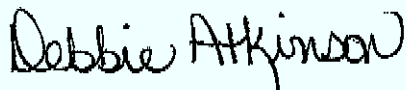
Students with mild to moderate disabilities are scheduled in co-teaching classes with nondisabled peers for English and Math. There are 2 special educators in the Math

department that co-teach and provide support services in Algebra and Geometry. There are also 2 special educators that co-teach and provide support services in the English department offering assistance in literacy. Students with disabilities receive supportive services in additional core subjects so that the students will succeed and be able to graduate with the allowable credits determined by Mountain Home District for graduation. Several years ago, the Office of Special Education developed such a program called Content Mastery to assist the students that were struggling and decrease the drop-out rate for students. The Content Mastery Program has been so successful that students with or without disabilities and across-academies are taking full advantage of the services. Mr. Giovanni, employed by the Office of Special Education, is doing an excellent job of assisting ANY student that needs assistance.

The Special Education programs at Mountain Home Public Schools are a model program for the inclusion, training, education and services for students with disabilities. The academy programs offer all students their best opportunity so that each individual student can strive to "be the best they can be". We are proud of our combined successes and the accomplishments of the students in the academy programs and the devotion and dedicated work of both the special educators and the core or subject-area teachers to make certain that the programs are a success.

If additional information or clarification is needed, please feel free to contact me at 870-425-1247, Monday-Friday from 8:00-4:00. It is my pleasure to "brag" on our programs any chance that I could do so.

Sincerely,



Debbie Atkinson, M.Ed.
Director of Special Education
Mountain Home Public Schools

CC: Dana Brown, Principal – Mountain Home High School
Briggett Shipman, Academy Coordinator, Mountain Home High School
File

ATTACHMENT 5

MOUNTAIN HOME HIGH SCHOOL CAREER ACADEMIES CHARTER SCHOOL OPERATIONS AND MAINTENANCE COMPLIANCE REPORT



ARKANSAS DEPARTMENT OF EDUCATION

CHARTER SCHOOL OPERATIONS AND MAINTENANCE COMPLIANCE REPORT

LEA/Report # _____ School Name: Mountain Home Career Academies Date 2/2/2010

Address 500 Bomber Blvd. Mountain Home, AR Phone _____

Director _____ E-Mail _____

School Contact (Name/Position) Mike Walker, Facilities Director Phone _____

Facility is: _____ Proposed ☒ Existing _____ New Construction

Required Inspections and Staff Training

1. Maintenance Procedures Manual _____
2. Training Manual _____
3. Fire Extinguishers Serviced Annually Yes
4. Fire Extinguishers Inspected Monthly No
5. Fire and Safety Inspection Performed Semi-Annually by Fire Marshall Yes
6. Fire Alarm System tested/inspected annually Yes
7. Fire Drills Performed Monthly _____
8. Natural Gas Distribution System Inspected Annually Yes
9. RPZ Valves Inspected Annually _____
10. Asbestos Surveillance up to Date _____
11. MSDS Sheets up to Date and Accessible _____
12. Hot Water Boiler/Heater _____

Action Items (Follow-Up Required)

1. School staff is to correct procedures for recording monthly fire extinguisher inspections.
2. _____
3. _____
4. _____

Specific Building Information1. Building Name and LEA # Entire High School, 0303703 2. Grade Configuration 10-123. Facility Built Date (including additions): 1966-1997 4. Walk-thru of facility conducted: YES

5. Items Checked:

<u>X</u> HVAC System	<u>X</u> Roofs	<u> </u> Metal Standing Seam
<u>X</u> Exit Lights	<u>X</u> Plumbing/	<u> </u> ADA Compliance
<u>X</u> Hot Water Boilers & Heaters	<u>X</u> Electrical System	
<u>X</u> Doors/Windows	<u>X</u> Interior / Exterior Lighting	
<u>X</u> Emergency Lighting	<u>X</u> Floor Coverings	
<u> </u> Grounds Maintenance	<u>X</u> Fire Extinguishers	
<u>X</u> Kitchen Equipment	<u>X</u> Fire Alarm	
<u> </u> Playground Equip.	<u> </u> Stairwells	
<u>N/A</u> Fire Sprinkler Systems	<u> </u> Athletic Field Maintenance	
<u> </u> Elevators & Wheelchair Lifts	<u>X</u> Kitchen Hood Vent Suppression System	
<u>X</u> Interior / Exterior Finishes	<u> </u> Masonry & Concrete Building Exteriors	
<u> </u> Sidewalks, Driveways, Parking Areas, & Paved Play Areas		
<u>X</u> Marked Parking Lots, ADA Compliance, Fire Lanes, Bus / Car Unloading Areas		
<u>X</u> Food Service		

6. Building Comments: Routine maintenance items such as floor and ceiling tiles need to be correctedSome evidence of roof leaks that need to be addressed. Some furnace areas had flammable materials in

7. Custodial (include equipment and storage):

<u>X</u> Storage Closets	<u>X</u> Restrooms
<u>X</u> Hallways/Classrooms/Offices	<u>X</u> Gymnasiums/Locker Rooms

Custodial Comments: Storage areas need to be more organized.

Summary of the General Condition of the Facility: Good

Action Items (Follow-up required):

1. School staff is to correct storage deficiencies and follow-up on roof leaks asap.

2. _____

3. _____

4. _____

5. _____

(Add additional pages, if necessary)

All observations are external. No performance tests were conducted. Any observations noted were reported to District personnel.

D.P.S.A.F.T. Representative: Terry Granderson Position: Senior Project Manager

School Representative: _____ Position: _____

Comments _____

Distribution: Charter School Office DPSAFT Project File



ARKANSAS DEPARTMENT OF EDUCATION

Dr. Tom W. Kimbrell
Commissioner

February 25, 2010

**State Board
of Education**

Dr. Naccaman Williams
*Springdale
Chair*

Jim Cooper
*Melbourne
Vice Chair*

Sherry Burrow
Jonesboro

Brenda Gullett
Fayetteville

Sam Ledbetter
Little Rock

Alice Mahony
El Dorado

Dr. Ben Mays
Clinton

Toyce Newton
Crossett

Mr. Kenneth Kirspel
Superintendent
2700 Poplar Street
North Little Rock, AR 72114

Re: Notice of State Board Meeting

Mr. Kirspel,

This letter is to inform you that your renewal application for Ridgeroad Middle Charter School will be considered at the State Board of Education's meeting on March 8, 2010. This meeting is scheduled to begin at 9:00 a.m., and will be held in the Auditorium of the Arch Ford Education Building at Four Capitol Mall in Little Rock, Arkansas.

Please ensure that you have all necessary personnel in attendance, as well as all documentation in order to address any questions from the Arkansas State Board of Education concerning your request.

Please feel free to contact the Charter Schools Office at (501)683-5313, should you have any questions.

Sincerely,

Mary Ann Duncan, Ed.D.,
Charter Schools, Program Coordinator

MAD/jf

Four Capitol Mall
Little Rock, AR
72201-1019
(501) 682-4475
ArkansasEd.org

c/c: Dr. Tom Kimbrell, Commissioner
Dr. Diana Julian, Deputy Commissioner
Jeremy Lasiter, General Counsel

DISTRICT CONVERSION CHARTER SCHOOL RENEWAL REPORT

RIDGEROAD MIDDLE CHARTER SCHOOL

Sponsoring District: North Little Rock School District
North Little Rock, AR

ENROLLMENT

Enrollment for 2008-09: 430

Enrollment for 2009-10: 455

WAIVERS/ AMENDMENTS

Amendments to Original Charter: Amendments regarding the educational program offered and was requested. Please see pages 43 thru 44 of attachment 1 for detailed information.

Waivers: No additional waivers were requested.

PERFORMANCE GOALS

For performance goals, please see pages 8 thru 11 of attachment 1.

TESTING DATA

For 2009, Ridgeroad Middle Charter School is listed as whole school intensive improvement – Year 4 for Arkansas Yearly Progress (AYP).

For testing data please refer to pages 12 thru 36 of attachment 1.

STANDARDS

Ridgeroad Charter Middle School status for the 2008-2009 school year was of an accredited school. Please see attachment 2.

SPECIAL EDUCATION

Ms. Marcia Harding, Associate Director of Special Education at the Department of Education, reported that the “district’s self-study indicates that the policies, practices, and procedures used to identify culturally and linguistically diverse students in need of early intervening services are currently developed and in place”. Please see attachment 3.

FACILITIES

A Charter School Operations and Maintenance Compliance Report was submitted by Mr. Terry Granderson, Senior Project Manager, Division of Public School Academic Facilities and Transportation. Please see attachment 4.

FINANCE

- g. 2009 – 2010 Cycle 1 Validation Report. Include explanation of variance if pertinent.
 - Report provided.
- h. June 30, 2009 Detailed Statement of Changes in Fund Balances
 - Report provided
- i. November 30, 2009 Detailed Statement of Changes in Fund Balances
 - Report provided
- j. June 30, 2009 Summary Revenue Status Report
 - Report provided
- k. November 30, 2009 Summary Revenue Status Report
 - Report provided
- l. June 30, 2009 Summary Expenditure Status Report
 - Report provided
- m. November 30, 2009 Summary Expenditure Status Report
 - Report provided
- n. June 30, 2009 Audit, if available
 - Not Applicable
- o. June 30, 2008 Audit, or most recent audit reviewed by the Legislative Joint Auditing Committee. Include Legislative Audit correspondence
 - Audit report provided
- p. June 30, 2009 Bank Reconciliation Report, including corresponding bank statement.
 - Report provided
 - Bank Reconciliation Report balanced to bank statement
- q. November 30, 2009 Bank Reconciliation Report, including corresponding bank statement.
 - Report provided
 - Bank Reconciliation Report balanced to bank statement

LEGAL

- 1.) Requested waivers from the provisions of Ark. Code Ann. §§ 6-17-401 ("Teacher's license requirement"), 6-17-902 ("Definition of a teacher") and 6-15-1004 ("Qualified teachers in every public school classroom"):

The State Board of Education (Board) may (but is not required to) waive the teacher certification requirement. However, the Board may not waive the requirements that charter school teachers have a bachelor's degree and meet content knowledge requirements if they teach core academic subjects.

Additionally, the Department Rule Governing the Arkansas Comprehensive Testing, Assessment and Accountability Program, Sections 5.02.4 and 5.03.2, requires that standardized assessments be administered according to procedures established by the Department. The Department's procedures require that teachers administer the standardized assessments. Violations of such procedures are subject to sanctions by the Board pursuant to Ark. Code Ann. § 6-15-438.

Finally, all teachers and school personnel must submit to criminal background and central registry checks.

- 2.) Requested waivers from Ark. Code Ann. § 6-15-902 ("Uniform grading scale for public schools") and the corresponding Department Rule.

Under the waivers, Ridgeroad wishes to have the flexibility to utilize "pass/fail" grading in its elective and exploratory classes. If the waiver is granted here, the Board should make clear that the waiver is only for the elective and exploratory classes, and does not apply to core classes.

ATTACHMENT 1

**RIDGEROAD MIDDLE CHARTER SCHOOL
RENEWAL APPLICATION – NARATIVE ONLY**

Think **World Class**

North Little Rock School District

2700 Poplar Street • P.O. Box 687 • North Little Rock, Arkansas 72115-0687
501.771.8000 • www.nlrsd.k12.ar.us

January 4, 2010

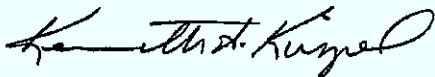
Dr. Mary Ann Brown, Charter School Liaison
Arkansas Department of Education
Charter School Office
#4 Capitol Mall
Little Rock, AR 72201

Dear Dr. Brown:

The Board of Education of the North Little Rock School District met in regular session at 5:30 p.m. on December 17, 2009. Contained in the new business section of the action agenda was an item to consider the submission of the application to the State Board of Education for renewing the charter school program at Ridgeroad Middle Charter School. A motion to submit the charter school renewal application was approved unanimously by the Board of Education in this meeting.

Please accept this letter as verification that the Board of Education of the North Little Rock School District approved the submission of the charter school renewal application. Please contact the Superintendent's Office at 771.8006 if you have any further questions concerning this portion of the charter school renewal process.

Sincerely,



Kenneth A. Kirspel
Superintendent

"World Class Schools for World Class Students"

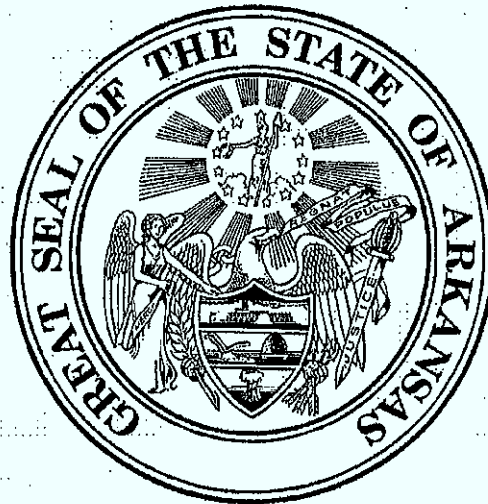
An Equal Opportunity Employer



ARKANSAS DEPARTMENT OF EDUCATION

District Conversion Public Charter School Renewal Application

Deadline for Submission: January 15, 2010



Charter School: Ridgeroad Middle Charter School

Date Submitted: January 15, 2010

Date Approved: _____

Arkansas Department of Education

Charter School Office
Four Capitol Mall, Room 105-C
Little Rock, AR 72201
501.683.5313

Application Instructions

In accordance with Arkansas Code Annotated § 6-23-101 et. seq., the State Board of Education is authorized to renew charters on a one-year or multiyear basis, not to exceed five (5) years. The State Board of Education may place a charter school on probation or may modify, revoke, or deny renewal of its charter if the state board determines that the persons operating the school: a) committed a material violation of the charter, including failure to satisfy accountability provisions prescribed by the charter; b) failed to satisfy generally accepted accounting standards of fiscal management; c) failed to comply with this chapter or other applicable law or regulation, or (d) failed to meet academic or fiscal performance criteria deemed appropriate and relevant for the public charter school by the State Board.

1. This application for renewal must be approved by the governing board of the sponsoring entity prior to being submitted to the State Board of Education for consideration.
2. Attachments should be labeled as indicated in the application and submitted in the prescribed order.
3. Submit one original unbound application and six (6) complete paper copies of the entire document. The original copy must include signatures in blue ink. One copy must also be submitted on a CD in Microsoft Word or Adobe Acrobat pdf file. Do not send copies in binders or staple the original application and attachments.
4. List of attachments to be provided:
 - a. Documentation that the district's Board of Directors has voted to approve this application for renewal
 - b. Copy of the school's 2008-2009 Arkansas Consolidated School Improvement Plan (ACSIP)
 - c. Latest copy of the school's Standards Assurance Report
 - d. Latest copy of the school's Special Education Monitoring Report
 - e. Copy of the 2008-2009 School Report Card
 - f. Copy of the 2008-2009 Equity Compliance Report
 - g. Fiscal year 09-10 Cycle 1 Validation Report. If the data comparison indicates a variance outside of stated ranges, that data is highlighted, provide an explanation of the reason for the variance.
 - h. June 30, 2009 Detailed Statement of Changes in Fund Balances
 - i. November 30, 2009 Detailed Statement of Changes in Fund Balances
 - j. June 30, 2009 Summary Revenue Status Report
 - k. November 30, 2009 Summary Revenue Status Report
 - l. June 30, 2009 Summary Expenditure Status Report
 - m. November 30, 2009 Summary Expenditure Status Report
 - n. June 30, 2008 Audit, if available
 - o. June 30, 2007 Audit, or most recent audit reviewed by the Legislative Joint Auditing Committee. Include all correspondence with the Legislative Joint Auditing Committee.

- p. June 30, 2009 Bank Reconciliation report, including corresponding bank statement. If any adjustments were made to the school's books to balance to the bank statement, include a comprehensive description of the adjustments.
- q. November 30, 2009 Bank Reconciliation report, including corresponding bank statement. If any adjustments were made to the school's books to balance to the bank statement, include a comprehensive description of the adjustments.

5. Return completed application and all required copies no later than **Friday, January 15, 2010** to:

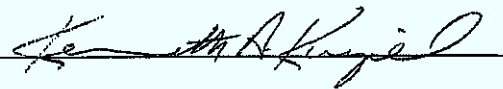
**Arkansas Department of Education
Public Charter School Office
Four Capitol Mall, Room 105-C
Little Rock, AR 72201**

Conversion District Charter School Renewal Application

Section I - Contact Information:

School District Name:	North Little Rock School District
Name of Charter School:	Ridgeroad Middle Charter School
School LEA #:	6002702
Student CAP: as approved by charter	700
Grades Served: (as approved by charter)	7 th -8 th grades
Name of Principal/Director: Mailing Address: Phone Number: Fax Number: E-mail address:	Lenisha Broadway 4601 Ridge Road North Little Rock, AR 72116 (501) 771-8155 (501) 771-8159 broadwayl@nlrsd.k12.ar.us
Name of Superintendent: Mailing Address: Phone Number: Fax Number: E-mail address:	Ken Kirspel 2700 Poplar Street P.O Box 687 North Little Rock, AR 72114 (501) 771-8000 (voice) (501) 771-8069 (FAX) kirspelk@nlrsd.k12.ar.us

Superintendent's Signature



Date 1-11-10

Section II – Enrollment and Student Demographics:

In the spaces below, please list the total district enrollment, the enrollment of the charter school, grades served by the charter school, and the enrollment of students in the charter by classification requested.

Current District Enrollment (2009-2010): 9620

Charter School Enrollment (2009-2010): 455 **Grades Served (2009-2010):** 7-8

Charter School Enrollment by Year: 2008-09 430 2007-08 458 2006-07 508 2005-06 554

Grades Served by Year: 2008-09 7-8 2007-08 7-8 2006-07 7-8 2005-06 7-8

	Current Charter School Enrollment by Category	Current Percentage of Students Enrolled in Charter School	Current District Enrollment by Category	Percentage of Students Enrolled in District
Special Education	64	14%	1004	10%
Gifted & Talented	41	9%	1190	12%
Migrant Students	0	0	0	0
LEP Students	25	5%	377	4%
African-American	374	82%	5647	59%
Asian	1	0	109	1%
Hispanic	38	8%	635	7%
Native American	0	0	14	0
Caucasian	42	9%	3210	33%
Free & Reduced Lunch	412	90%	6273	65%

Section III – Admissions Policy

In the space provided, describe the methods for applying for admission, enrollment criteria, and student recruitment and selection processes, including the process for the admission of students by a lottery (*A charter school that is over-enrolled must use a random, anonymous student selection process to be eligible to receive federal funds*).

The admissions policy for Ridgeroad Middle Charter School will remain the same as it was presented in the original charter application in November 2002 and approved by the State Board of Education in February 2003. Ridgeroad will be open to all students who reside in the North Little Rock School District or who qualify to legally transfer to RRMCS. In accordance with all federal and state laws, no student will be denied enrollment in the school based on race, ethnicity, national origin, gender, or disability.

Students who reside in the attendance zone established for Ridgeroad Middle Charter School will be given first priority for enrollment in the charter school. Sibling of students who attend RRMCS will be given priority over students who are eligible to transfer to the charter school. Students who reside in the Ridgeroad Middle Charter School attendance zone and who elect to not attend the charter school will be allowed to transfer to another middle school in the school district.

If the number of students enrolled from the RRMCS attendance zone is fewer than the maximum allowed in this charter, students who reside in the North Little Rock School District and who attend another middle school plus who are eligible to legally transfer to RRMCS will be enrolled until the maximum number of students is enrolled.

If the number of students seeking enrollment in the school capacity, the students who reside outside of the RRMCS attendance zone will be selected using a random, anonymous lottery to select students until the maximum number of students is reached. The total number of students enrolled in the school will not exceed hundred (700) without formally amending charter.

Use additional space as needed

Section IV – Performance Goals

Part A: Original Performance Goals

In the space provided, list each of the school's student academic performance goals contained in the original charter and provide supporting data and narrative documentation of the school's progress in achieving each goal.

In the fall of 2002 when the original charter school application was under construction, specific details of No Child Left Behind and the Adequate Yearly Progress had not been announced. The application, as submitted in November 2002, listed general rather than specific student performance goals. Even though the original application's general performance goals were accepted by the State Board of Education as presented, the charter school has since been subject to the performance goals (annual AYP benchmarks) of NCLB and the Arkansas Department of Education.

Data from the third year of the original charter school contract (2005-06) are included below:

	7th Grade Proficient/Advanced	8th Grade Proficient/Advanced
Literacy	30%	32%
Mathematics	21%	17%

The school's primary performance goals for the next three years were based on NCLB and ADE rules and regulations. Based on the percentage of students scoring at the Proficient and /or Advanced levels on the criterion-referenced exams, the following goals were established:

	2006-2007	2007-2008	2008-2009
7-8 Literacy	52.25%	59.08%	65.91%
7-8 Mathematics	50.60%	57.66%	64.72%

The actual percentages of students who met proficient or advanced are reflected in the following chart:

	2006-2007	2007-2008	2008-2009
7-8 Literacy	40.1%	43%	45%
7-8 Mathematics	34.5%	43.3%	51.9%

Although AYP targets have not been met and we are currently in Year 4 School Improvement, the trends for growth are in place, particularly the numbers of students who are Proficient or Advanced prior to the original charter when proficiency levels were 5% in math (8th grade only tested) and 16% in literacy (8th grade only tested). The combined population and African American population has met Safe Harbor for the past three years in Mathematics. The combined population is in Year 1 School Improvement for Literacy.

From the charter renewal application we identified progress goals that focused on moving students from the Basic group to the Proficient group. The charter school continues to recognize that student progress often moves at a more gradual pace and may take more than one year to prepare students for success on the Benchmark Exams or the EOC Exams and the high school level. Additionally, the school's attention cannot be focused solely on the underachieving student. Proficient students need assistance to move toward the Advanced level.

To this end, the following goals were proposed, beginning in the Fall of 2006, in addition to the previously identified goals. Results are included.

- In 2006-07, 20% of the students in the Below Basic group will move to the Basic group and 5% of the students in the Proficient group will move to the advanced group.

Results: (based on Benchmark exams)

- There was a 25% decrease in students in the Below Basic category from 2005-06 (459) to 2006-07 (345).
- There was a 46% increase in students in the Advanced category from 2005-06 (33) to 2006-07 (61).

- In 2007-08, 20% of the students in the Below Basic group will move to the Basic group and 5% of the students in the Proficient group will move to the advanced group.

Results: (based on Benchmark exams)

- There was a 27% decrease in students in the Below Basic category from 2006-07 (345) to 2007-08 (253).
- There was a 15% increase in students in the Advanced category from 2006-07 (61) to 2007-08 (72).

- In 2008-09, 20% of the students in the Below Basic group will move to the Basic group and 5% of the students in the Proficient group will move to the advanced group.

Results: (based on Benchmark exams)

- There was an 11% decrease in students in the Below Basic category from 2007-08 (253) to 2008-09 (224).
- There was a 24% increase in students in the Advanced category from 2007-08 (72) to 2008-09 (89).

- The 20% goal for reduction in the Below Basic category was met 2 of the 3 years.
- The 5% goal for increase in the Advanced category was far exceeded each year.
- Although not a specific goal, student performance on End of Course Exams in Algebra I and Geometry growth was achieved over the three year period. The percentages of students scoring Proficient or Advanced follow:

	2006-07	2007-08	2008-09
Algebra I	78%	87%	97%
Geometry	84%	100%	100%

Part B: New Performance Goals

In the space provided, list student academic performance goals that the school would like to add to their charter for the next five years and provide data and narrative documentation on how the school will measure progress toward achieving each goal.

As identified in NCLB and ADE rules and regulations, the percentage of students scoring at the Proficient and/or Advanced levels on the criterion-referenced exams identified will serve as the school's primary performance goals for the next five years.

	2009-2010	2010-2011	2011-2012	2012-2013	2014
6-8 Literacy	67.60	75.70	83.80	91.90	100
6-8 Math	64.55	73.41	82.28	91.14	100

As detailed in NCLB, subgroups must also meet these same performance goals. In order to achieve these performance goals for all students and those in identified subgroups, the charter school must work to do the obvious, i.e., move students from the Basic group to the Proficient group. The charter school also recognizes that student progress often moves at a more gradual pace and make take more than one year to prepare students for success on the Augmented Benchmark Exams or the EOC exams at the high school level. Additionally, the school's attention can not be focused solely on the underachieving student. Proficient students need assistance to move toward the Advanced level.

To this end, the following performance goals for Ridgeroad Middle Charter School for the 5 year period beginning in the fall of 2009. These goals are in addition to the performance goals identified earlier:

- In 2009-2010, 20% of the students in Below Basic group will move to the Basic group and 5% of the students in the Proficient group will move to the Advanced group. In 2009-2010, 5% of SPED in the Below Basic group will move to the Basic.
- In 2009-2010, 100% of students enrolled in Algebra I and Geometry will score at Proficient or Advanced level and 5% of the students in the Proficient group will move to the Advanced group.
- In 2010-2011, 20% of the students in Below Basic group will move to the Basic group and 5% of the students in the Proficient group will move to the Advanced group. In 2009-2010, 5% of SPED in the Below Basic group will move to the Basic.
- In 2010-2011, 100% of students enrolled in Algebra I and Geometry will score at Proficient or Advanced level and 5% of the students in the Proficient group will move to the Advanced group.

- In 2011-2012, 20% of the students in Below Basic group will move to the Basic group and 5% of the students in the Proficient group will move to the Advanced group. In 2009-2010, 5% of SPED in the Below Basic group will move to the Basic.
- In 2011-2012, 100% of students enrolled in Algebra I and Geometry will score at Proficient or Advanced level and 5% of the students in the Proficient group will move to the Advanced group.
- In 2012-2013, 20% of the students in Below Basic group will move to the Basic group and 5% of the students in the Proficient group will move to the Advanced group. In 2009-2010, 5% of SPED in the Below Basic group will move to the Basic.
- In 2012-2013, 100% of students enrolled in Algebra I and Geometry will score at Proficient or Advanced level and 5% of the students in the Proficient group will move to the Advanced group.
- In 2013-2014, 20% of the students in Below Basic group will move to the Basic group and 5% of the students in the Proficient group will move to the Advanced group. In 2009-2010, 5% of SPED in the Below Basic group will move to the Basic.
- In 2013-2014, 100% of students enrolled in Algebra I and Geometry will score at Proficient or Advanced level and 5% of the students in the Proficient group will move to the Advanced group.

Use additional space as needed

Section V – Test Data

On the following pages, provide test data on the students' academic performance on the required State assessments, and any other assessment instruments utilized by the charter school. Provide narrative documentation to explain each year's performance and how this supports the charter school's academic goals.

Narrative on Academic Performance Test Data

Throughout the existence of the charter the primary focus at RRMCS has been on improving the percent of students scoring at the proficient and advanced level of the Benchmark exams. This includes meeting the annual AYP target as well as the previously identified performance goals. Since the 2006 charter renewal when proficient/advanced levels were 31% in Literacy and 20% in Math, increases have been noted with 45% proficient/advanced in Literacy and 51.9% proficient/advanced Math in 2008-09. When comparing actual performance against NCLB and ADE regulations, the gap in achievement is being narrowed more quickly in math than in literacy. In 2008-09, the gap between the NCLB target and actual performance was 20.91% in literacy and 12.82% in math.

7th Grade Literacy

	2005-06	2006-07	2007-08	2008-09
<i>Female</i>	37%	35%	43%	48%
<i>Male</i>	21%	23%	29%	23%
<i>African American</i>	27%	24%	35%	35%
<i>Caucasian</i>	49%	47%	50%	53%
<i>African American Female</i>	34%	31%	42%	46%
<i>Caucasian Female</i>	65%	53%	61%	70%
<i>African American Male</i>	17%	18%	28%	21%
<i>Caucasian Male</i>	39%	41%	28%	33%

- Over the 4 year period from 2005-06 and 2007-08 the gap in achievement between African American and Caucasian students has fluctuated from a low of 15% in 2008-09 to 23% in 2006-07.
- In gender differences, the females are consistently outscoring the males.
- The lowest performing group overall is the African American males.
- The African American females outscored Caucasian males in 2007-08 and 2008-09.

7th Grade Mathematics

	2005-06	2006-07	2007-08	2008-09
<i>Female</i>	24%	33%	46%	47%
<i>Male</i>	19%	24%	37%	36%
<i>African American</i>	19%	26%	39%	42%
<i>Caucasian</i>	35%	41%	63%	48%
<i>African American Female</i>	19%	31%	44%	46%
<i>Caucasian Female</i>	59%	47%	67%	60%
<i>African American Male</i>	20%	20%	34%	36%
<i>Caucasian Male</i>	19%	36%	57%	33%

- The gap in achievement between male and female is narrower than the gap in Literacy for gender.
- African American achievement shows consistent growth.
- With the exception of 2008-09, Caucasian students saw an increase in achievement. Although there was a decrease from 2007-08 to 2008-09 there was still a large improvement over the 35% in 2005-06.
- While the gap in achievement between African Americans and Caucasians is evident, the trend for African American males and Females is increased growth, while there is fluctuations in Caucasian achievement, particularly with the females.

8th Grade Literacy

	2005-06	2006-07	2007-08	2008-09
<i>Female</i>	41%	61%	59%	63%
<i>Male</i>	23%	37%	41%	40%
<i>African American</i>	28%	49%	48%	51%
<i>Caucasian</i>	45%	65%	62%	66%
<i>African American Female</i>	36%	60%	57%	60%
<i>Caucasian Female</i>	67%	92%	70%	100%
<i>African American Male</i>	22%	33%	38%	41%
<i>Caucasian Male</i>	31%	47%	57%	36%

- Students are scoring much higher in Literacy at the 8th grade level than at the 7th grade level.
- The overall trend for both African American and Caucasians is growth over the 4 year period.
- Both African American and Caucasian females are outscoring all males.
- There is a significant discrepancy between the performance of Caucasian females and Caucasian males. A similar trend was noted in 7th grade Literacy.

8th Grade Mathematics

	2005-06	2006-07	2007-08	2008-09
<i>Female</i>	18%	29%	29%	43%
<i>Male</i>	18%	30%	28%	42%
<i>African American</i>	12%	25%	25%	39%
<i>Caucasian</i>	41%	50%	50%	67%
<i>African American Female</i>	11%	25%	25%	40%
<i>Caucasian Female</i>	50%	62%	60%	70%
<i>African American Male</i>	13%	25%	25%	38%
<i>Caucasian Male</i>	35%	43%	42%	63%

- When looking at gender subgroups, there was a 25% (females) and 24% increase (males) in students scoring at the Advanced/Proficient levels from 2005-06 to 2008-09.
- Performance between African Americans and Caucasians shows some narrowing of the gap in achievement, although the gap still exists.
- The greatest growth over the 4 year period is being achieved by African American females and Caucasian males.
- Caucasian females are the highest performing and show an upward trend of growth.

Dr. Ruby Payne's organization, aha! Process, Inc., has provided services to the school. Over the years of the charter, aha! Process training and Technical Assistance has decreased as the teachers have adopted strategies and implemented them in the classroom. However, high levels of teacher mobility prior to 2007 were a barrier to implementation which could impact overall student performance. Additionally the campus has worked to integrate more district expectations regarding the curriculum and formative assessments with the strategies from aha! Process. While capacity with the strategies continues to be developed and needs continued focus and implementation, teacher quality has been improved. The campus now has 7 teachers who have attained National Board Certification while on staff. The strong leadership and support of the current principal (third since charter began) is providing more stability and support for the teachers and appears to be a factor in reducing the high teacher mobility that was occurring. Teacher mobility has decreased from 40% in 2003-04 to 10% in 2007-08.

While not an excuse for student performance, the majority of the lowest performing students from the 6th grade campus attend RRMCS. The pattern in Literacy shows significant growth with these students once they have had two years of instruction at RRMCS. In Math, gains have been attained more quickly than in Literacy. Although AYP goals have not been met, a growth trend has been established in both Math and Literacy. It is expected that the addition of Pre-AP classes will start to draw higher performing students to the campus.

RRMCS was recognized in the Arkansas Education Report of Outstanding Educational Performance Awards, which highlights top achieving Arkansas schools. Ridgeroad was recognized because 100% of their eighth-graders taking geometry scored proficient or advanced.

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Benchmark Exams – (Use Combined Population)

2006-2007 – Charter School

	Total # Tested	% Below Basic	% Basic	% Proficient	% Advanced
3 th Grade Literacy					
3 th Grade Mathematics					
4 th Grade Literacy					
4 th Grade Mathematics					
5 th Grade Literacy					
5 th Grade Mathematics					
6 th Grade Literacy					
6 th Grade Mathematics					
7 th Grade Literacy	226	16%	55%	22%	6%
7 th Grade Mathematics	226	53%	19%	19%	9%
8 th Grade Literacy	252	20%	29%	44%	6%
8 th Grade Mathematics	252	54%	16%	26%	4%
End of Course Exam – Alg. 1	44	2%	20%	64%	14%
End of Course Exam – Geometry	13	0%	15%	46%	38%
Grade 11 – Literacy Exam					

2006-2007 – District Totals

	Total # Tested	% Below Basic	% Basic	% Proficient	% Advanced
3 th Grade Literacy	668	25%	25%	27%	21%
3 th Grade Mathematics	669	17%	22%	29%	30%
4 th Grade Literacy	637	15%	36%	27%	20%
4 th Grade Mathematics	638	23%	24%	25%	26%
5 th Grade Literacy	670	12%	38%	32%	16%
5 th Grade Mathematics	670	31%	17%	30%	20%
6 th Grade Literacy	595	15%	38%	33%	12%
6 th Grade Mathematics	598	21%	29%	24%	23%
7 th Grade Literacy	644	15%	46%	28%	9%
7 th Grade Mathematics	644	42%	14%	25%	17%
8 th Grade Literacy	675	17%	27%	37%	17%
8 th Grade Mathematics	675	44%	15%	25%	14%
End of Course Exam – Alg. 1	798	21%	33%	29%	15%
End of Course Exam – Geometry	757	8%	43%	36%	12%
Grade 11 – Literacy Exam	601	14%	39%	44%	1%

Augmented Benchmark Exams – (Use Combined Population)

2007-2008 – Charter School

	Total # Tested	% Below Basic	% Basic	% Proficient	% Advanced
3 th Grade Literacy					
3 th Grade Mathematics					
4 th Grade Literacy					
4 th Grade Mathematics					
5 th Grade Literacy					
5 th Grade Mathematics					
5 th Grade Science					
6 th Grade Literacy					
6 th Grade Mathematics					
7 th Grade Literacy	229	16%	48%	28%	8%
7 th Grade Mathematics	228	36%	23%	33%	8%
7 th Grade Science					
8 th Grade Literacy	207	15%	36%	42%	7%
8 th Grade Mathematics	206	50%	21%	18%	10%
End of Course Exam – Alg. I	39	0%	13%	64%	23%
End of Course Exam – Alg. II					
End of Course Exam – Geometry	14	0%	0%	79%	21%
End of Course Exam - Biology					
Grade 11 – Literacy Exam					

2007-2008 – District Totals

	Total # Tested	% Below Basic	% Basic	% Proficient	% Advanced
3 th Grade Literacy	677	22%	22%	28%	25%
3 th Grade Mathematics	678	10%	23%	29%	37%
4 th Grade Literacy	670	11%	31%	34%	22%
4 th Grade Mathematics	670	19%	17%	27%	35%
5 th Grade Literacy	630	12%	32%	34%	20%
5 th Grade Mathematics	631	20%	24%	32%	23%
5 th Grade Science					
6 th Grade Literacy	626	19%	31%	23%	25%
6 th Grade Mathematics	626	17%	22%	25%	34%
7 th Grade Literacy	623	14%	44%	31%	9%
7 th Grade Mathematics	623	30%	18%	28%	22%
7 th Grade Science					
8 th Grade Literacy	621	17%	29%	36%	17%
8 th Grade Mathematics	623	40%	15%	24%	19%
End of Course Exam – Alg. I	772	19%	34%	31%	14%
End of Course Exam – Alg. II					
End of Course Exam – Geometry	675	10%	37%	36%	16%
End of Course Exam - Biology					
Grade 11 – Literacy Exam	590	6%	42%	48%	1%

Augmented Benchmark Exams – (Use Combined Population)

2008-2009 – Charter School

	Total # Tested	% Below Basic	% Basic	% Proficient	% Advanced
3 th Grade Literacy					
3 th Grade Mathematics					
4 th Grade Literacy					
4 th Grade Mathematics					
5 th Grade Literacy					
5 th Grade Mathematics					
5 th Grade Science					
6 th Grade Literacy					
6 th Grade Mathematics					
7 th Grade Literacy	217	18%	46%	28%	8%
7 th Grade Mathematics	217	37%	21%	26%	16%
7 th Grade Science	217	59%	25%	15%	1%
8 th Grade Literacy	217	13%	35%	45%	7%
8 th Grade Mathematics	217	35%	22%	33%	10%
End of Course Exam – Alg. I	45	0%	2%	64%	33%
End of Course Exam – Alg. II					
End of Course Exam – Geometry	14	0%	0%	57%	43%
End of Course Exam - Biology					
Grade 11 – Literacy Exam					

2008-2009 – District Totals

	Total # Tested	% Below Basic	% Basic	% Proficient	% Advanced
3 th Grade Literacy	703	20%	22%	33%	23%
3 th Grade Mathematics	704	7%	26%	32%	32%
4 th Grade Literacy	676	9%	26%	39%	24%
4 th Grade Mathematics	679	17%	16%	31%	34%
5 th Grade Literacy	648	6%	35%	38%	19%
5 th Grade Mathematics	651	19%	19%	35%	25%
5 th Grade Science	651	24%	41%	26%	7%
6 th Grade Literacy	564	10%	38%	31%	18%
6 th Grade Mathematics	567	12%	22%	28%	37%
7 th Grade Literacy	636	11%	38%	35%	15%
7 th Grade Mathematics	638	25%	16%	27%	30%
7 th Grade Science	638	40%	29%	23%	6%
8 th Grade Literacy	624	9%	27%	48%	14%
8 th Grade Mathematics	624	28%	18%	33%	19%
End of Course Exam – Alg. 1	678	15%	33%	32%	18%
End of Course Exam – Alg. II					
End of Course Exam – Geometry	757	8%	43%	36%	12%
End of Course Exam - Biology	741	37%	35%	23%	4%
Grade 11 – Literacy Exam	607	8%	33%	55%	1%

Iowa Test of Basic Skills – 2007

Kindergarten			
	Charter School	Local District	State
Subtests	2007	2007	2007
	Percentile Rank	Percentile Rank	Percentile Rank
Reading			
Language			
Math			

Kindergarten – Iowa Test of Basic Skills 2007 Percentile Rank by Race

Subtests	African American	Asian	Hispanic	Native-American	White
Reading					
Language					
Math					

1st Grade			
	Charter School	Local District	State
Subtests	2007	2007	2007
	Percentile Rank	Percentile Rank	Percentile Rank
Reading			
Language			
Math			

1st Grade – Iowa Test of Basic Skills 2007 Percentile Rank by Race

Subtests	African American	Asian	Hispanic	Native-American	White
Reading					
Language					
Math					

2nd Grade	Charter School 2007 Percentile Rank	Local District 2007 Percentile Rank	State 2007 Percentile Rank
Subtests			
Reading			
Language			
Math			

2nd Grade – Iowa Test of Basic Skills 2007 Percentile Rank by Race

Subtests	African American	Asian	Hispanic	Native- American	White
Reading					
Language					
Math					

3rd Grade	Charter School 2007 Percentile Rank	Local District 2007 Percentile Rank	State 2007 Percentile Rank
Subtests			
Reading Comprehension			
Math Concepts & Estimation			
Problem Solving & Data Interpretation			

3rd Grade – Iowa Test of Basic Skills 2007 Percentile Rank by Race

Subtests	African American	Asian	Hispanic	Native- American	White
Reading Comprehension					
Math Concepts & Estimation					
Problem Solving & Data Interpretation					

4th Grade	Charter School 2007 Percentile Rank	Local District 2007 Percentile Rank	State 2007 Percentile Rank
Subtests			
Reading Comprehension			
Math Concepts & Estimation			
Problem Solving & Data Interpretation			

4th Grade – Iowa Test of Basic Skills 2007 Percentile Rank by Race

Subtests	African American	Asian	Hispanic	Native- American	White
Reading Comprehension					
Math Concepts & Estimation					
Problem Solving & Data Interpretation					

5th Grade	Charter School 2007 Percentile Rank	Local District 2007 Percentile Rank	State 2007 Percentile Rank
Subtests			
Reading Comprehension			
Math Concepts & Estimation			
Problem Solving & Data Interpretation			

5th Grade – Iowa Test of Basic Skills 2007 Percentile Rank by Race

Subtests	African American	Asian	Hispanic	Native- American	White
Reading Comprehension					
Math Concepts & Estimation					
Problem Solving & Data Interpretation					

6th Grade

Subtests	Charter School 2007	Local District 2007	State 2007
	Percentile Rank	Percentile Rank	Percentile Rank
Reading Comprehension			
Math Concepts & Estimation			
Problem Solving & Data Interpretation			

6th Grade – Iowa Test of Basic Skills 2007 Percentile Rank by Race

Subtests	African American	Asian	Hispanic	Native- American	White
Reading Comprehension					
Math Concepts & Estimation					
Problem Solving & Data Interpretation					

7th Grade

Subtests	Charter School 2007	Local District 2007	State 2007
	Percentile Rank	Percentile Rank	Percentile Rank
Reading Comprehension	28	44	50
Math Concepts & Estimation	35	50	55
Problem Solving & Data Interpretation	39	48	51

7th Grade – Iowa Test of Basic Skills 2007 Percentile Rank by Race

Subtests	African American	Asian	Hispanic	Native- American	White
Reading Comprehension	25				46
Math Concepts & Estimation	34				41
Problem Solving & Data Interpretation	37				48

8th Grade	Charter School 2007 Percentile Rank	Local District 2007 Percentile Rank	State 2007 Percentile Rank
Subtests			
Reading Comprehension	34	37	46
Math Concepts & Estimation	39	46	58
Problem Solving & Data Interpretation	38	48	57

8th Grade – Iowa Test of Basic Skills 2007 Percentile Rank by Race

Subtests	African American	Asian	Hispanic	Native- American	White
Reading Comprehension	31				50
Math Concepts & Estimation	37				48
Problem Solving & Data Interpretation	35				47

9th Grade	Charter School 2007 Percentile Rank	Local District 2007 Percentile Rank	State 2007 Percentile Rank
Subtests			
Reading Comprehension			
Math Concepts & Problem Solving			

9th Grade – Iowa Test of Basic Skills 2007 Percentile Rank by Race

Subtests	African American	Asian	Hispanic	Native- American	White
Reading Comprehension					
Math Concepts & Problem Solving					

MAT 8 – 2008

Kindergarten	Charter	Local	State
	School	District	2008
Subtests	2008	2008	2008
	Percentile Rank	Percentile Rank	Percentile Rank
Mathematics			
Sounds/Print			

Kindergarten – MAT 8 2008 Percentile Rank by Race

Subtests	African American	Asian	Hispanic	Native-American	White
Mathematics					
Sounds/Print					

SAT 10 – 2008

1st Grade	Charter	Local	State
	School	District	2008
Subtests	2008	2008	2008
	Percentile Rank	Percentile Rank	Percentile Rank
Reading			
Writing/Language			
Mathematics			

1st Grade – SAT 10 2008 Percentile Rank by Race

Subtests	African American	Asian	Hispanic	Native-American	White
Reading					
Writing/Language					
Mathematics					

2nd Grade	Charter School 2008 Percentile Rank	Local District 2008 Percentile Rank	State 2008 Percentile Rank
Subtests			
Reading			
Writing/Language			
Mathematics			

2nd Grade – SAT 10 2008 Percentile Rank by Race

Subtests	African American	Asian	Hispanic	Native- American	White
Reading					
Writing/Language					
Mathematics					

3rd Grade	Charter School 2008 Percentile Rank	Local District 2008 Percentile Rank	State 2008 Percentile Rank
Subtests			
Reading			
Writing/Language			
Mathematics			

3rd Grade – SAT 10 2008 Percentile Rank by Race

Subtests	African American	Asian	Hispanic	Native- American	White
Reading					
Writing/Language					
Mathematics					

4th Grade	Charter School 2008 Percentile Rank	Local District 2008 Percentile Rank	State 2008 Percentile Rank
Subtests			
Reading			
Writing/Language			
Mathematics			

4th Grade – SAT 10 2008 Percentile Rank by Race

Subtests	African American	Asian	Hispanic	Native- American	White
Reading					
Writing/Language					
Mathematics					

5th Grade	Charter School 2008 Percentile Rank	Local District 2008 Percentile Rank	State 2008 Percentile Rank
Subtests			
Reading			
Writing/Language			
Mathematics			
Science			

5th Grade – Iowa Test of Basic Skills 2008 Percentile Rank by Race

Subtests	African American	Asian	Hispanic	Native- American	White
Reading					
Writing/Language					
Mathematics					
Science					

6th Grade	Charter School 2008 Percentile Rank	Local District 2008 Percentile Rank	State 2008 Percentile Rank
Subtests			
Reading			
Writing/Language			
Mathematics			

6th Grade – Iowa Test of Basic Skills 2008 Percentile Rank by Race

Subtests	African American	Asian	Hispanic	Native- American	White
Reading					
Writing/Language					
Mathematics					

7th Grade	Charter School 2008 Percentile Rank	Local District 2008 Percentile Rank	State 2008 Percentile Rank
Subtests			
Reading	32	39	53
Writing/Language	24	32	45
Mathematics	33	46	56
Science	30	38	54

7th Grade – Iowa Test of Basic Skills 2008 Percentile Rank by Race

Subtests	African American	Asian	Hispanic	Native- American	White
Reading					
Writing/Language					
Mathematics					
Science					

8th Grade	Charter School 2008 Percentile Rank	Local District 2008 Percentile Rank	State 2008 Percentile Rank
Subtests			
Reading	36	41	53
Writing/Language	24	30	41
Mathematics	40	54	64

8th Grade – Iowa Test of Basic Skills 2008 Percentile Rank by Race

Subtests	African American	Asian	Hispanic	Native- American	White
Reading					
Writing/Language					
Mathematics					

9th Grade	Charter School 2008 Percentile Rank	Local District 2008 Percentile Rank	State 2008 Percentile Rank
Subtests			
Reading			
Writing/Language			
Mathematics			

9th Grade – Iowa Test of Basic Skills 2008 Percentile Rank by Race

Subtests	African American	Asian	Hispanic	Native- American	White
Reading					
Writing/Language					
Mathematics					

MAT 8 – 2009

Kindergarten		Charter School 2009 Percentile Rank	Local District 2009 Percentile Rank	State 2009 Percentile Rank
Subtests				
Mathematics				
Sounds/Print				

Kindergarten – MAT 8 2009 Percentile Rank by Race

Subtests	African American	Asian	Hispanic	Native- American	White
Mathematics					
Sounds/Print					

SAT 10 – 2009

1st Grade		Charter School 2009 Percentile Rank	Local District 2009 Percentile Rank	State 2009 Percentile Rank
Subtests				
Reading				
Writing/Language				
Mathematics				

1st Grade – SAT 10 2009 Percentile Rank by Race

Subtests	African American	Asian	Hispanic	Native- American	White
Reading					
Writing/Language					
Mathematics					

2nd Grade		Charter School 2009 Percentile Rank	Local District 2009 Percentile Rank	State 2009 Percentile Rank
Subtests				
Reading				
Writing/Language				
Mathematics				

2nd Grade – SAT 10 2009 Percentile Rank by Race

Subtests	African American	Asian	Hispanic	Native- American	White
Reading					
Writing/Language					
Mathematics					

3rd Grade		Charter School 2009 Percentile Rank	Local District 2009 Percentile Rank	State 2009 Percentile Rank
Subtests				
Reading				
Writing/Language				
Mathematics				

3rd Grade – SAT 10 2009 Percentile Rank by Race

Subtests	African American	Asian	Hispanic	Native- American	White
Reading					
Writing/Language					
Mathematics					

4th Grade		Charter School 2009 Percentile Rank	Local District 2009 Percentile Rank	State 2009 Percentile Rank
Subtests				
Reading				
Writing/Language				
Mathematics				

4th Grade – SAT 10 2009 Percentile Rank by Race

Subtests	African American	Asian	Hispanic	Native- American	White
Reading					
Writing/Language					
Mathematics					

5th Grade		Charter School 2009 Percentile Rank	Local District 2009 Percentile Rank	State 2009 Percentile Rank
Subtests				
Reading				
Writing/Language				
Mathematics				
Science				

5th Grade – Iowa Test of Basic Skills 2009 Percentile Rank by Race

Subtests	African American	Asian	Hispanic	Native- American	White
Reading					
Writing/Language					
Mathematics					
Science					

6th Grade	Charter School 2009 Percentile Rank	Local District 2009 Percentile Rank	State 2009 Percentile Rank
Subtests			
Reading			
Writing/Language			
Mathematics			

6th Grade – Iowa Test of Basic Skills 2009 Percentile Rank by Race

Subtests	African American	Asian	Hispanic	Native- American	White
Reading					
Writing/Language					
Mathematics					

7th Grade	Charter School 2009 Percentile Rank	Local District 2009 Percentile Rank	State 2009 Percentile Rank
Subtests			
Reading	27	42	51
Writing/Language	26	39	48
Mathematics	34	52	58
Science	33	47	60

7th Grade – Iowa Test of Basic Skills 2009 Percentile Rank by Race

Subtests	African American	Asian	Hispanic	Native- American	White
Reading	26	69	17		43
Writing/Language	25	96	18		38
Mathematics	33	99	30		46
Science	31	89	30		52

8th Grade		Charter School 2009 Percentile Rank	Local District 2009 Percentile Rank	State 2009 Percentile Rank
Subtests				
Reading		30	39	50
Writing/Language		24	35	43
Mathematics		51	61	66

8th Grade – Iowa Test of Basic Skills 2009 Percentile Rank by Race

Subtests	African American	Asian	Hispanic	Native- American	White
Reading	28	6	27		47
Writing/Language	22	18	24		39
Mathematics	48	29	63		66

9th Grade		Charter School 2009 Percentile Rank	Local District 2009 Percentile Rank	State 2009 Percentile Rank
Subtests				
Reading				
Writing/Language				
Mathematics				

9th Grade – Iowa Test of Basic Skills 2009 Percentile Rank by Race

Subtests	African American	Asian	Hispanic	Native- American	White
Reading					
Writing/Language					
Mathematics					

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Other Assessments Used:

Provide data and supportive narrative on other assessments, if any, used to measure student academic performance at the charter school.

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Use additional space as needed

Section VI – Waivers

Part A: Original Waivers

In the space provided, *list* each waiver contained in the original charter. Please include Arkansas Annotated Code and Section Title, State Board of Education Regulation Title, and Standards for Accreditation Title Section and Number.

State Statute Waivers Requested

- 6-15-902 ***Uniform grading scale for public schools***
The charter school requests the flexibility to use grades of “pass” and “fail” in elective courses and in the exploratory classes.
- 6-15-1004 ***Qualified teachers in every public school classroom***
Ridgeroad Middle Charter School requests the flexibility to employ teachers it feels will be the most successful in the program regardless of licensure status.
- 6-17-401 ***Teacher’s licensure requirement***
The elective and exploratory programs may need to employ personnel to teach a specialized topic for a few hours daily or for a few weeks. Full compliance with this statute would be restrictive.
- 6-17-902 ***Definition of a teacher***
The elective and exploratory programs may need to employ personnel to teach a specialized topic for a few hours daily or for a few weeks. Full compliance with this statute would be restrictive.
- 6-17-1501 ***Teacher Fair Dismissal Act***
through In order to maintain only the most highly qualified teachers to work with the
6-17-1510 underachieving students, a request for this waiver is being made. Ridgeroad
Middle Charter School ensures that all constitutional due process will be followed
in all employee dismissal events.
- 6-17-1701 ***Public School Fair Hearing Act***
through In order to maintain only the most highly qualified teachers to work with the
6-17-1705 underachieving students, a request for this waiver is being made. Ridgeroad
Middle Charter school ensures that all constitutional due process will be followed
in all employee dismissal events.
- 6-17-203 ***Committee for Each School District***
While the North Little Rock School District utilizes the Personnel Policy
Committee as require by this statute, Ridgeroad Middle Charter School request
that working conditions at the charter school not be subject to review by the
Personnel Policies Committee.

**State Board of Education Rules and Regulations
Waivers Requested**

- **Uniform grading scale**

The school requests the flexibility to use grades of "pass" or "fail" in elective courses and in the exploratory courses.

Standards Waivers Requested

XI. Support Services, B. Media Services

Because of the student population at RRMCS, the Standards for Accreditation of Arkansas Public Schools require the services of a full-time Media Specialist. RRMCS requests a waiver from this standard and to employ a full-time media clerk to manage the media materials and equipment. The school will employ a Reading Specialist who will work with the Accelerated Reader Program and coordinate the purchasing of media materials.

**North Little Rock Board of Education Policies
Waivers Requested**

The North Little Rock Board of Education met at 5:00 p.m. on November 13, 2002 to consider this application of Ridgeroad Middle Charter School. Six of seven members of the Boards were present and voted unanimously to submit this application to the Arkansas Department of Education. The following section lists policies of the North Little Rock Board of Education that would limit the charter school's ability to implement the program described in this application. While the conversion charter school application does not require a listing of local policies, the program designers made the decision to include the local waivers to inform State Board of Education members of the involvement of the North Little Rock Board of Education.

Policy BCE School Day

Because Ridgeroad Middle Charter School will operate in an extended school day, the school seeks a waiver from Policy BCE.

Policy BCG Employment of Consultants

RRMCS will work with consultants from aha! Process, Inc more than five days per school year and seeks a waiver from this policy

Policy CFA Working Hours for Instructional Staff

Because of the extended school day at RRMCS, working hours for some certified Instructional staff may exceed the 7 ¾ hour work day as defined in this policy. Certified staff members who work in excess of 7 ¾ hours will be compensated.

Policy CFEB Extracurricular Duties Secondary Teachers

RRMCS asks for a waiver from the state requirement regarding media specialists. The school seeks permission to employ a Reading Specialist for 200 days in lieu of a media specialist for 200 days as prescribed in policy CFEB.

- Policy CFI **Dress and Appearance**
Staff members at RRMCS will be asked to develop and conform to a standard code of dress. Because student uniforms will be used in the school, adults will be asked to model appropriate compliance with a dress standard.
- Policy CGE **Building Communications Committee**
The school will have a School Leadership Team consisting of staff members and parents who will meet monthly with the building administrator to discuss concerns and make plans for school activities and school improvement. The School Leadership Team will replace the Building Communication Committee.
- Policy DBBB **Secondary Organization**
RRMCS will have a class period organization that will provide daily, extended time for language arts and mathematics. Daily, core courses will be taught before elective courses and the school day will feature an extended day for all students. RRMCS seeks a waiver from this restrictive district policy.
- Policy DCD **Grading**
The charter school requests the flexibility to use grades of "pass" and "fail" in elective courses and in exploratory courses.
- Policy DCE **Promotion/Retention**
and
Policy DCEC **Promotion to the Ninth Grade**
The charter school seeks waivers from these policies and requests permission to develop more rigorous criteria for promotion to the next grade level.
- Policy FBD **Student Dress and Grooming**
RRMCS seeks a waiver from this policy in order to implement a student uniform policy for students at the charter school. The policy would extend the current Board of Education policy to students in grades 7 and 8 at the charter school.

Part B: New Waivers

In the space provided, *list* additional waivers from Title VI of Arkansas Code Annotated, State Board of Education Rules and Regulations, and/or the *Standards for Accreditation* that the school would like to add to their charter for the next five years. Please provide rationale supporting the need for the additional waivers.

Part C: Waivers To Be Rescinded

In the space provided, *list* any waivers from the original charter that the school would like to have deleted. If no waivers are listed, the school will be required to follow all waivers listed on both the original and renewal charter documentation.

Use additional space as needed

Section VII – Requested Amendments

Identify any requested amendments to the original charter including, but not limited to, the following:

A) Grade levels to be served and/or enrollment CAP. Provide rationale.

B) Changes to the educational program offered.

As indicated by RRMCS student Augmented Benchmark scores, a high percentage of students are in need of intervention in math and literacy. The elective program will address the needs of these students through the Academic Intervention Reading (A.I.R.) and Academic Intervention Math (A.I.M.) courses. These nine week courses provide students opportunities to extend math and literacy learning through unconventional methods. Students in these classes have an Augmented Benchmark score of below basic or basic in math and/or literacy.

Students are assessed in literacy by using the STAR reading program, monthly Rasinski fluency assessments, annual DRAs and quarterly intermittent assessments. The A.I.R. teachers, RRMCS' Literacy Coach and the 21st CCLC Project Director will review the results of both assessments along with the Benchmark test and develop a plan of intervention for each student. As stated in the school ACSIP plan, student literacy will be improved through Literature Circles, vocabulary building, JEDI language activities, teacher led writing activities and independent reading through the Accelerated Reader program. The proven reading and writing strategies of Ruby Payne, Ph.D. will be used in this intervention process. Other resources used in this class include "Bringing Words to Life", "Building Academic Vocabulary" and "How Writers Work".

The intervention class for math is A.I.M. Students will be assessed on the JEDI Math program, quarterly intermittent assessments and quarterly 10-question tests. Similar to the A.I.R process, the A.I.M. teachers, RRMCS Math Coach and 21st CCLC Project Director will review the results of the assessments and the Benchmark test and develop a plan for student intervention in math. Math manipulatives, math related games and problem-solving strategies will be included in this intervention course. Hands-on activities are aligned with the Arkansas frameworks to increase student understanding of Algebra and Geometry. The collaboration of the North Little Rock School District in providing Math and Literacy coaches to assist in the after school program to develop plans for extended student learning will decrease the education deficit in both of these important areas.

Based upon the low performance of incoming 6th grade students, more direct instruction is needed at the 7th grade level. The campus will work on creative scheduling to provide more time for this direct instruction as well as more direct interventions. Pre-AP classes have been added on the campus since the original charter was enacted. The campus is doing more flexible scheduling to provide Pre-AP classes for more students and will continue to do this.

C) Other

Based on the data currently available, RRMCS has developed a plan for further Professional Development aimed at specific target areas such as the African American male population and Special Education. RRMCS is planning for intensive training for all Special Education teachers with an aha! Process consultant to focus on direct interventions and classroom instruction.

Another component of professional development will be leadership training on the processes that compose aha! Processes School Improvement Model for Low-Performing Schools. aha! Process consultants will train building administration and lead teachers on how to monitor implementation of these processes and provide support for teachers as needed.

ATTACHMENT 2

**RIDGEROAD MIDDLE CHARTER SCHOOL
2008-2009 ANNUAL ACREDIATAION STATUS REPORT**

ANNUAL ACCREDITATION STATUS REPORT (2008-2009)

Run Date: 05/11/2009

Page #: 25

Area: 60-02-702

School: RIDGEROAD CHARTER MIDDLE SCHOO

2008-2009 Status: ACCREDITED
Review Date: Comments:

2007-2008 Status: ACCREDITED
Review Date: Comments:

8313 JOB NOT CERT
429-98-6692 CASSANDRA M PECK
388210 Science Grade 8

09/01/2007 Licensure Completion Deadline

8313 JOB NOT CERT
431-23-6915 TAMMY COLLIER
388110 Language Arts Grade 8

09/01/2008 Licensure Completion Deadline

2006-2007 Status: ACCREDITED
Review Date: Comments:

ANNUAL ACCREDITATION STATUS REPORT (2008-2009)

Run Date: 05/11/2009

Page #: 26

Area: 60-02-702

School: RIDGEROAD CHARTER MIDDLE SCHOOL

Enrollment-	K	0
	1	0
	2	0
	3	0
	4	0
	5	0
	6	0
	7	219
	8	211
	9	0
	10	0
	11	0
	12	0
	EE	0
	SM	0
	SS	0
	13	0

Total enrollment for 60-02-702: 430

FTE Totals-

Counselor	2.00
Principal	1.00
Asst. Principal	2.00
Library/Media	0.00

Staff Development Hours:	60
Total Book Volume:	10330

ATTACHMENT 3

**RIDGEROAD MIDDLE CHARTER SCHOOL
SPECIAL EDUCATION LETTER FROM ADE STAFF**



ARKANSAS DEPARTMENT OF EDUCATION

Dr. T. Kenneth James
Commissioner

August 31, 2009

**State Board
of Education**

Randy Lawson
Bentonville
Chair

Dr. Naccaman Williams
Springdale
Vice Chair

Sherry Burrow
Jonesboro

Jim Cooper
Melbourne

Brenda Gullett
Fayetteville

Sam Ledbetter
Little Rock

Alice Mahony
El Dorado

Dr. Ben Mays
Clinton

Diane Tatum
Pine Bluff

Mr. Ken Kirspel, Superintendent
North Little Rock School District
2700 Poplar St.
North Little Rock, AR 72114

Dear Mr. Kirspel:

I am in receipt of the North Little Rock School District's self-analysis of its policies, procedures, and practices used to ensure that they are nondiscriminatory and that students identified utilizing these processes are eligible for receipt of special education services consistent with federal and state criteria.

The district's self-study indicates that the district's policies, practices, and procedures used to identify culturally and linguistically diverse students in need of early intervening services are currently developed and in place.

Your completed self-assessment will be kept on file by our office.

Sincerely,

Marcia Harding
Associate Director
Special Education

cc: Debbie Zeringue, Area Supervisor
Susan Shurley, LEA Supervisor

file

Four Capitol Mall
Little Rock, AR
72201-1019
(501) 682-4475
ArkansasEd.org

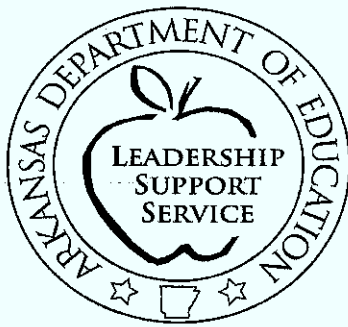
An Equal Opportunity
Employer

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FEB 18 2010

CHARTER SCHOOL OFFICE

ATTACHMENT 4

RIDGEROAD MIDDLE CHARTER SCHOOL CHARTER SCHOOL OPERATIONS AND MAINTENANCE COMPLIANCE REPORT



ARKANSAS DEPARTMENT OF EDUCATION

CHARTER SCHOOL OPERATIONS AND MAINTENANCE COMPLIANCE REPORT

LEA/Report # _____ School Name: NLRSD Ridge Road Middle Charter School Date 2/4/2010

Address 4601 Ridge Road North Little Rock, AR Phone _____

Director _____ E-Mail _____

School Contact (Name/Position) Alan Crownover, Maintenance Director Phone _____

Facility is: _____ Proposed ☒ Existing _____ New Construction

Required Inspections and Staff Training

1. Maintenance Procedures Manual _____
2. Training Manual _____
3. Fire Extinguishers Serviced Annually Yes
4. Fire Extinguishers Inspected Monthly Yes
5. Fire and Safety Inspection Performed Semi-Annually by Fire Marshall Yes
6. Fire Alarm System tested/inspected annually Yes
7. Fire Drills Performed Monthly Yes
8. Natural Gas Distribution System Inspected Annually Yes
9. RPZ Valves Inspected Annually _____
10. Asbestos Surveillance up to Date Yes
11. MSDS Sheets up to Date and Accessible _____
12. Hot Water Boiler/Heater Yes

Action Items (Follow-Up Required)

1. None _____
2. _____
3. _____
4. _____

Specific Building Information1. Building Name and LEA # Ridge Road Middle Charter - 6002702 2. Grade Configuration 7-83. Facility Built Date (including additions): 1959, 1983, 1990 4. Walk-thru of facility conducted: YES

5. Items Checked:

<input checked="" type="checkbox"/> HVAC System	<input type="checkbox"/> Roofs
<input checked="" type="checkbox"/> Exit Lights	<input checked="" type="checkbox"/> Plumbing/ ADA Compliance
<input checked="" type="checkbox"/> Hot Water Boilers & Heaters	<input checked="" type="checkbox"/> Electrical System
<input checked="" type="checkbox"/> Doors/Windows	<input checked="" type="checkbox"/> Interior / Exterior Lighting
<input checked="" type="checkbox"/> Emergency Lighting	<input checked="" type="checkbox"/> Floor Coverings
<input type="checkbox"/> Grounds Maintenance	<input checked="" type="checkbox"/> Fire Extinguishers
<input checked="" type="checkbox"/> Kitchen Equipment	<input checked="" type="checkbox"/> Fire Alarm
<input type="checkbox"/> Playground Equip.	<input checked="" type="checkbox"/> Stairwells
<input type="checkbox"/> N/A Fire Sprinkler Systems	<input type="checkbox"/> Athletic Field Maintenance
<input checked="" type="checkbox"/> Elevators & Wheelchair Lifts	<input checked="" type="checkbox"/> Kitchen Hood Vent Suppression System
<input checked="" type="checkbox"/> Interior / Exterior Finishes	<input type="checkbox"/> Masonry & Concrete Building Exteriors
<input type="checkbox"/> Sidewalks, Driveways, Parking Areas, & Paved Play Areas	
<input checked="" type="checkbox"/> Marked Parking Lots, ADA Compliance, Fire Lanes, Bus / Car Unloading Areas	
<input checked="" type="checkbox"/> Food Service	

6. Building Comments: The facility appeared to be in very good condition. Some minor maintenanceitems were observed and made note of by the school staff.

7. Custodial (include equipment and storage):

<input checked="" type="checkbox"/> Storage Closets	<input checked="" type="checkbox"/> Restrooms
<input checked="" type="checkbox"/> Hallways/Classrooms/Offices	<input checked="" type="checkbox"/> Gymnasiums/Locker Rooms

Custodial Comments: Most areas were clean and appeared to be well maintained. Some classrooms
were cluttered and blocked the return air intakes on hvac systems. School staff indicated the
recurring problem of getting teachers to not stack items in those areas. Memo to be sent out by staff.

Summary of the General Condition of the Facility: Good

Action Items (Follow-up required):

1. None

2. _____

3. _____

4. _____

5. _____

(Add additional pages, if necessary)

All observations are external. No performance tests were conducted. Any observations noted were reported to District personnel.

D.P.S.A.F.T. Representative: Terry Granderson Position: Senior Project Manager

School Representative: _____ Position: _____

Comments _____

Distribution: Charter School Office DPSAFT Project File



ARKANSAS DEPARTMENT OF EDUCATION

Dr. Tom W. Kimbrell
Commissioner

February 25, 2010

State Board
of Education

Dr. Naccaman Williams
Springdale
Chair

Jim Cooper
Melbourne
Vice Chair

Sherry Burrow
Jonesboro

Brenda Gullett
Fayetteville

Sam Ledbetter
Little Rock

Alice Mahony
El Dorado

Dr. Ben Mays
Clinton

Toyce Newton
Crossett

Mr. Rob McGill
Acting Superintendent
925 East Dixon Road
Little Rock, AR 72206

Re: Notice of State Board Meeting

Mr. McGill,

This letter is to inform you that your request for a hearing regarding STAR Academy will be considered at the State Board of Education's meeting on March 8, 2010. This meeting is scheduled to begin at 9:00 a.m., and will be held in the Auditorium of the Arch Ford Education Building at Four Capitol Mall in Little Rock, Arkansas.

Please ensure that you have all necessary personnel in attendance, as well as all documentation in order to address any questions from the Arkansas State Board of Education concerning your request.

Please feel free to contact the Charter Schools Office at (501)683-5313, should you have any questions.

Sincerely,

Mary Ann Duncan, Ed.D,
Charter Schools, Program Coordinator

MAD/jf

Four Capitol Mall
Little Rock, AR
72201-1019
(501) 682-4475
ArkansasEd.org

c/c: Dr. Tom Kimbrell, Commissioner
Dr. Diana Julian, Deputy Commissioner
Jeremy Lasiter, General Counsel



Pulaski County Special School District

Office of the Superintendent

Rob McGill, Acting Superintendent
Linda G. Paladino, Executive Assistant

January 28, 2010

Dr. Tom Kimbrell, Commissioner
Arkansas Department of Education
#4 Capital Mall
Little Rock, AR 72201

Dear Dr. Kimbrell,

After much deliberation the Pulaski County Special School District respectfully requests to rescind the Star Academy charter application agenda item for the February 8, 2010, State Board meeting.

At this point, we respectfully request that this item be moved to the March 2010 State Board meeting agenda.

Sincerely,

A handwritten signature in black ink, appearing to read 'Rob McGill', is written over the printed name.

Mr. Rob McGill
Acting Superintendent

cc: Dr. Mary Ann Brown

RECEIVED
FEB 01 2010

CHARTER SCHOOL OFFICE



Pulaski County Special School District

Office of the Superintendent

Rob McGill, Acting Superintendent
Linda G. Paladino, Executive Assistant

February 22, 2010

Dr. Mary Ann Duncan
Arkansas Department of Education
Charter School Office
#4 Capitol Mall, Room 105-C
Little Rock, AR 72201

Dear Dr. Duncan,

Pulaski County Special School District thanks you, Dee Cox and other staff for the past meetings you have held with our staff in regards to the charter application for STAR Academy. Your insights and clarifications have been extremely insightful.

Attached you will find the Points of Clarification and a revised budget for STAR Academy. Pulaski County Special School District hopes that this attachment will assist in clarifying the application and will assist the Arkansas Board of Education in reconsidering the charter application for STAR. Your consideration is greatly appreciated.

I apologize Deputy Superintendent June Elliott and I will not be present for the Monday, March 8th State Board meeting due to a conflict with court proceedings. We both certainly respect the State Board's decision.

Respectfully submitted,

Mr. Rob McGill
Acting Superintendent

RECEIVED
FEB 22 2010

CHARTER SCHOOL OFFICE

POINTS OF CLARIFICATION REGARDING THE APPLICATION FOR STAR ACADEMY CONVERSION CHARTER, JACKSONVILLE, AR

After thorough discussions, reviews, and technical assistance, STAR Academy respectfully submits these points of clarification in regards to specific sections of the application.

CURRICULUM CLARIFICATION REGARDING STUDENT ACHIEVEMENT

STAR Academy is requesting the opportunity to serve students from each district high school targeting those students who are not on grade level. Studies from the National Research Center indicate that the dislike of school, low academic achievement, retention at grade level, and inability to feel comfortable in a large depersonalized school setting are the greatest tendencies associated with students dropping out. In the original application, it was stated that the program would serve eighth and ninth grade students; however, based on further evidence and the need to reach the ninth and tenth grade students in the Pulaski County Special School District, STAR Academy has applied for a Conversion Charter targeting ninth and tenth grade students. Upon further review of the Arkansas Department of Education's Rules and Regulations Governing Public Charter Schools, "A public school application for a conversion public charter school may include, but shall not be limited to the following purposes: adopting research-based school or instructional designs, or both, that focuses on improving student and school performance (6.03.01); Addressing school improvement status..(beginning with Ark. Code. ANN 6-15-207©(8)). Thus the need and impetus for the conversion charter school.

The primary objective of the STAR Academy Conversion Charter is to provide students with ten credits within a single school year. The credits offered will include Algebra I, Geometry, English I, English II, Physical Science, Biology, Civics, World History, Health, PE, and another elective. These credits will be provided through a non-state adopted curriculum, STAR. This computer-based, hands-on, teacher facilitated, and focused, individual paced learning (IPL) is completely aligned to the Arkansas Frameworks as indicated from a side-by-side comparative analysis of alignment frameworks requested by PCSSD administration from STAR. Through 4 x 4 block scheduling, the elimination of Channel 1 time and extracurricular activities within the school day, and an extended summer program to be taken by each student, this program will be successful for all students choosing to attend.

STAR Academy is a stand-alone building with the address of 201 Sharp Street, Jacksonville, AR. STAR shares some of the same parking area with Jacksonville Middle School, which is also a stand-alone structure with the address of 1320 School Drive, Jacksonville, AR

Each STAR Academy class will have a full-time certified teacher, however, should highly-qualified personnel best suited for a course be available, a waiver from certification has been

requested. The STAR programming will focus on ten credits to be completed within one school year and one summer allowing the opportunity for each student to leave as a classified junior.

According to data released by the National Office of Research Management and Evaluation (NORME) at the University of Arkansas, Jacksonville High School's ninth grade students (used as an example of one population being served, see initial conversion charter application, page 6) are underachieving on standardized tests compared to comparable students with similar economic backgrounds (69% free and reduced lunch).

School	Literacy Proficiency %	Math Proficiency %	Enrollment
Jacksonville High School 2400 Linda Lane, Jacksonville, AR	30.4	34.5	332 ninth graders

In order for the advancements at STAR Academy Conversion Charter School to be made, a conversion application inclusive of waivers is necessary. Each waiver requested directly impacts instruction.

REQUESTED WAIVERS OF STAR ACADEMY CONVERSION CHARTER

STAR Academy Conversion Charter will employ a standards-based, Arkansas frameworks aligned curriculum in Science, Mathematics, English and Social Studies. Students will navigate through a rigorous progression of varied instructional methods, incorporating a hands-on learning, real-world learning experience, individualized instruction, and personal development. Additionally, parents, teachers, and students are taught how to communicate productively and work together as a team in a safe and productive environment. Pulaski County Special School District's Star Academy will successfully re-engage students who may have lost hope or experienced personal, academic, or social challenges in their lives. STAR Academy Conversion Charter will provide these students with an opportunity to recapture a sense of purpose, regain their self-esteem, and succeed academically. Star Academy Conversion Charter will reduce the number of over-age students dropping out of ninth and tenth grades.

Waivers being requested are directly related to the STAR curriculum being implemented, as well as the provision of an instructional setting conducive for student growth academically. Based on this fact, the following waivers are requested and clarified (page 16 of original application).

6-15-1004 Qualified teachers in every public classroom. In respects to STAR, the school requests flexibility and option to employ instructors who have professional expertise in regards to relative subjects.

6-16-102 School Day. STAR Academy Conversion Charter is requesting this option as a means to remain open and flexible regarding school offerings and student achievements. It is currently necessary for STAR students to attain one required class during the summer.

6-16-401 Teacher license requirement. STAR Academy Conversion Charter may facilitate the need to utilize contract services from personnel to instruct specialized topics for a few hours daily or short periods of time; therefore, full compliance with this statute would be restrictive.

6-17-902 Definition of a teacher. The conversion application of STAR Academy Conversion Charter may facilitate the need to utilize contracted services for specialized instructional topics; therefore, full compliance with this statute would be restrictive.

6-17-1501 through 6-17-1705 Public School Fair Hearing Act. In order to recruit and maintain the most highly qualified instructors to teach such a diverse student population, a request for this waiver is requested.

6-17-203 Committee for Each School District. STAR Academy Conversion Charter requests that the charter school not be subject to review by the Personnel Policies Committee due to program design. Based on the very design and level of personalized instruction, this waiver is requested.

Addition of Waiver

6-10-106 Extended School Year. STAR Academy Conversion Charter is requesting the extended school year waiver in order to complete the needed 10 credits. One class will be offered in the summer.

Standard Waivers Requested

Class Size and Teaching Load. Due to program design, STAR Academy requests that this standard be waived. STAR will strive to keep the traditional educational ratios in place, however, within the non-traditional educational setting, the required ratio could possibly not allow the flexibility needed.

Support Services/Media Services. STAR Academy Conversion Charter is requesting this waiver regarding available support services and media services based on the internet sources available within the school through on-line encyclopedias, Wikipedia, and other databases, along with the availability of local libraries and ease in accessing Jacksonville High School's Media Center.

Rescind Standard Waiver

After review of the standard waivers and counsel with the Department of Education, Star Academy respectfully requests to rescind the standard waiver regarding Records and Reports.

BUDGET Attached is a corrected budget representing a per pupil State Foundation Funding of \$6,023. Pending approval of the Arkansas Department of Education State Board, Pulaski County Special School District does anticipate applying for the federal charter startup implementation grant.

Public Charter School Application
Budget Worksheet/Template

Line #	<u>Revenues</u>	<u>Amount</u>	<u>Total</u>
1	State Public Charter School Aid:		
2	No. of Students 80 x <u>\$6,023</u> State Funding Foundation		
3			
4	Total State Charter School Aid	<u>\$481,840</u>	<u>\$481,840</u>
5			
6	Other Sources of Revenues:		
7	Private Donations of Gifts	<u> </u>	
8	Federal Grants (List the Amounts)	<u> </u>	
9	Special Grants (List the Amounts)	<u> </u>	
10	Other (<i>Charter Startup</i>)	<u> </u>	
11	NLSA	<u>\$83,243</u>	
12			
13	Total Other Sources of Revenues		<u> </u>
14			
15	TOTAL REVENUES		<u>\$565,083</u>

16			
17	<u>Expenditures</u>	<u>Amount</u>	<u>Total</u>
18			
19	Administration:		
20	Salaries: (No. of Positions 1)	<u>\$68,444</u>	
21	Fringe Benefits	<u>\$20,750</u>	
22	Purchased Services	<u> </u>	
23	Supplies and Materials	<u>\$1,500</u>	
24	Equipment	<u> </u>	
25	Other (<i>Describe</i>)	<u> </u>	<u>\$90,694</u>
26			
27	Regular Classroom Instruction		
28	Salaries: (<i>No. of Positions 4</i>)	<u>\$205,192</u>	
29	Fringe Benefits	<u>\$65,341</u>	
30	Purchased Services	<u> </u>	
31	Supplies and Materials	<u>\$16,150</u>	
32	Equipment	<u> </u>	
33	Other (<i>Describe</i>)	<u> </u>	<u>\$286,683</u>

34 Budget Continued

35	Special Education		
36	Salaries: (No. of Positions 1)	<u>\$32,140</u>	
37	Fringe Benefits	<u>\$6,428</u>	
38	Purchased Services	_____	
39	Supplies and Materials	_____	
40	Equipment	_____	<u>\$38,568</u>
41	Other (<i>Describe</i>)	_____	
42			
43	Gifted and Talented Program:		
44	Salaries: (No. of Positions)	_____	
45	Fringe Benefits	_____	
46	Purchased Services	_____	
47	Supplies and Materials	_____	
48	Equipment	_____	
49	Other (<i>Describe</i>)	_____	_____
50			
51	Alternative Education Program		
52	Salaries: (No. of Positions 1)	<u>\$54,671</u>	
53	Fringe Benefits	<u>\$10,934</u>	
54	Purchased Services	_____	
55	Supplies and Materials	_____	
56	Equipment	_____	
57	Other (<i>Describe</i>)	_____	<u>\$65,605</u>
58			
59	Guidance Services		
60	Salaries: (No. of Positions .60)	<u>\$29,544</u>	
61	Fringe Benefits	<u>\$9,454</u>	
62	Purchased Services	_____	
63	Supplies and Materials	<u>\$5,000</u>	
64	Equipment	_____	
65	Other (<i>Describe</i>)	_____	<u>\$43,998</u>
66			
67	Health Services		
68	Salaries: (No. of Positions)	_____	
69	Fringe Benefits	_____	
70	Purchased Services	_____	
71	Supplies and Materials	_____	
72	Equipment	_____	
73	Other (<i>Describe</i>)	_____	_____
74			Budget Continued

75	Media Services		
76	Salaries: (No. of Positions)	_____	
77	Fringe Benefits	_____	
78	Purchased Services	_____	
79	Supplies and Materials	_____	
80	Equipment	_____	
81	Other (<i>Describe</i>)	_____	_____
82			
83	Fiscal Services		
84	Salaries: (No. of Positions ____)	_____	
85	Fringe Benefits	_____	
86	Purchased Services	_____	
87	Supplies and Materials	_____	
88	Equipment	_____	
89	Other (<i>Describe</i>)	_____	_____
90			
91	Maintenance and Operation		
92	Salaries: (No. of Positions .50)	<u>\$28,394</u>	
93	Fringe Benefits	<u>\$5,679</u>	
94	Purchased Services	_____	
95	Supplies and Materials	_____	
96	Equipment	<u>\$5,462</u>	
97	Other (<i>Describe</i>)	_____	<u>\$39,535</u>
98			
99			
100	Pupil Transportation		
101	Salaries: (No. of Positions)	_____	
102	Fringe Benefits	_____	
103	Purchased Services	_____	
104	Supplies and Materials	_____	
105	Equipment	_____	
106	Other (<i>Describe</i>)	_____	_____
107			
108	Food Services		
109	Salaries: (No. of Positions)	_____	
110	Fringe Benefits	_____	
111	Purchased Services	_____	
112	Supplies and Materials	_____	
113	Equipment	_____	
114	Other (<i>Describe</i>)	_____	
115			<u>Budget Continued</u>

116	Data Processing		
117	Salaries: (No. of Positions ____)	_____	
118	Fringe Benefits	_____	
119	Purchased Services	_____	
120	Supplies and Materials	_____	
121	Equipment	_____	
122	Other (Describe)	_____	_____
123			
124	Substitute Personnel		
125	Salaries: (No. of Positions1	_____	
126	Fringe Benefits	_____	_____
127			
128	If Applicable: Facilities		
	Lease/Purchase (contract for one total		
129	year including facility upgrades:	_____	
130	Please list upgrades	_____	
131			
	If Applicable: Utilities (contract for one total		
132	year including facility upgrades)	_____	
	If Applicable: Insurance (contract for one		
133	total year including facility upgrades):	_____	
134	If Applicable: Property Insurance	_____	
135	If Applicable: Content Insurance	_____	_____
136			
137	Debt Expenditures	_____	_____
138	Other Expenditures:	_____	_____
139	(Describe)	_____	_____
140			
141	TOTAL EXPENDITURES		<u>\$565,083</u>

Conversion Charter Renewal Application
STAR Academy
Legal Comments-REVISED

- 1.) p. 11, Application: The applicant states that STAR Academy will be open to any ninth grade student who resides in the Pulaski County Special School District (PCSSD), but then sets forth a three (3)-tier priority system for enrollment. The priority system gives first priority for the eighty (80) available spaces to Jacksonville High School students; second priority to other PCSSD students, and third priority to home school students.

Such enrollment limitation is not in keeping with the requirement of nondiscriminatory admission of students. All ninth-grade children within the Pulaski County Special School District must be given an equal opportunity to attend the charter school.

Home school students are not public school students and are not allowed to enroll in public schools while they are home-schooled. The only potential exception to the above statement is found in Ark. Code Ann. § 6-47-406, and concerns distance learning courses.

- 2.) pp. 1-2, “Points of Clarification” document:

The applicant states that the primary objective of the charter is to provide students with ten (10) credits within a single school year through the use of a non-state adopted curriculum, STAR (the curriculum is, however, aligned to the Arkansas Frameworks).

The applicant’s curriculum and credit-earning plans should be reviewed by the Department’s Curriculum and Assessment Unit and Standards Assurance Unit so that the State Board may be apprised of any Departmental issues or concerns.

- 3.) Waivers:

- a. Ark. Code Ann. §§ 6-15-1004, 6-17-401 and 6-17-902:

- The State Board may waive the teacher certification requirement. However, the Board may not waive the requirements that charter school teachers have a bachelor’s degree and meet content knowledge requirements if they teach core subjects.
- The ADE Rule Governing the Arkansas Comprehensive Testing, Assessment and Accountability Program, Sections 5.02.4 and 5.03.2, requires that standardized assessments be administered according to procedures established by the ADE. The ADE’s

procedures require that certified teachers administer the standardized assessments. Violations of such procedures are subject to sanctions by the State Board pursuant to Ark. Code Ann. § 6-15-438.

- All teachers and school personnel must submit to criminal background and central registry checks.

- 4.) p. 14, Application: “The facilities comply with all the requirements for accessibility in accordance with ADA and IDEA. If students enroll with exceptional needs beyond current modification, the Pulaski County Special School District is committed to making the modifications needed to comply with ADA and IDEA.”

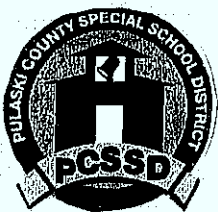
The facility will have to be inspected by the Division of Public School Academic Facilities and Transportation prior to any State Board of Education action on the application, if such inspection has not already been performed.

The facility must comply with all Requirements with the Americans with Disabilities Act and the Individuals with Disabilities Education Act, as well as complying with all applicable state and local health codes.

Application Cycle 2010

Letter of Intent

STAR Academy



Pulaski County Special School District

Office of the Superintendent

Rob McGill, Acting Superintendent
Linda G. Paladino, Executive Assistant

RECEIVED
JUL 27 2009

CHARTER SCHOOL OFFICE

July 27, 2009

Dr. Mary Ann Brown, Unit Leader
Public Charter Schools
Arkansas Department of Education
#4 Capitol Mall-Room 105-C
Little Rock, Arkansas 72201

Dear Dr. Brown:

It is a pleasure to inform you that it is the intent of Pulaski County Special School District to submit a Charter School grant application during the 2009-2010 school year. The district contact person for the conversion charter school will be Assistant Superintendent June Elliott, 925 East Dixon Road, Little Rock, AR 72206, 501-490-2000 district office, 501-490-0483 fax or jelliott@pcssd.org, email.

The proposed name of the charter school will be STAR Academy. The location of the proposed charter school is 201 Sharp Street, Jacksonville, AR 72076, however it is a part of the Pulaski County Special School District. Secondary students will be served.

The proposed emphasis of the charter school will be to establish a school for students who are failing within the current system. Students will be exposed to and follow the state curriculum, including benchmark exams, while incorporating and immersing students in the research based curriculum, STAR. The emphasis of the best of the best from both domains, with students being immersed in the STAR curriculum is the focus of the school's offerings.

Pulaski County Special School District looks forward to working with you in the days ahead regarding the application process. Exciting ideas and concepts impacting the education of so many students are at hand. PCSSD looks forward to expounding upon the charter school concept of STAR with you.

Sincerely,

Mr. Rob McGill
Acting Superintendent

Application Cycle 2010

Application

STAR Academy



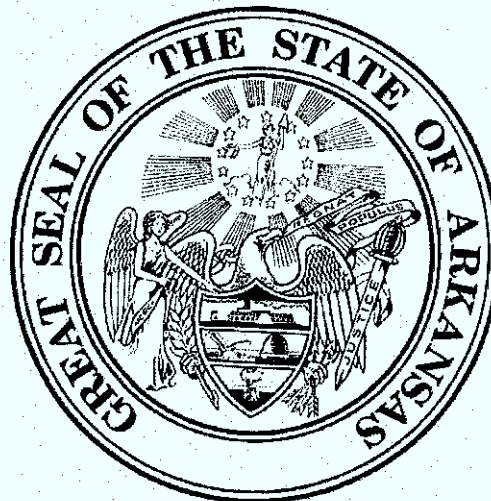
ARKANSAS DEPARTMENT OF EDUCATION

District Conversion Public Charter School New Application

Deadline for Submission: October 31, 2009

RECEIVED
SEP 29 2009

CHARTER SCHOOL OFFICE



Charter School: STAR Academy

Date Submitted: September 22, 2009

Date Approved: _____

Arkansas Department of Education
Public Charter School Office
Four Capitol Mall, Room 105-C
Little Rock, AR 72201
501.683.5313

**STATE BOARD OF EDUCATION
ARKANSAS DEPARTMENT OF EDUCATION
APPLICATION FOR APPROVAL
OF A
CONVERSION CHARTER SCHOOL**

A. GENERAL INFORMATION (Please type.)

Name of Proposed Charter School: STAR Academy

Grade Level(s) for the School: 8-9 Proposed Enrollment: 80- first year,
with growth in following years

Name of School District: Pulaski County Special School Dist.

Name of Contact Person: June Elliott

Address: 925 East Dixon Road, Little Rock, AR
72206

Daytime Phone Number: 501-982-2128

E-mail: jelliott@pcssd.org

Charter Site Address: 201 Sharp Street, Jacksonville, AR 72076

Date of Proposed Opening: August, 2010

Name of Superintendent: Mr. Rob McGill, Acting Superintendent

Address: 925 East Dixon Road

City: Little Rock, AR 72206

Phone Number: (501) 490-6202 FAX (501) 490-0483

E-mail: rmcgill@pcssd.org

B. GENERAL DESCRIPTION

In succinct terms describe the proposed school including grade levels offered, student populations served, educational focus, and any other essential characteristics.

August, 2010, Jacksonville High School is proposing to open a conversion charter school for ninth graders who have repeatedly failed to be promoted to the tenth grade. Classrooms located within the present Jacksonville High School will be converted to STAR Academy. This school will serve students predominantly in the ninth grade. STAR Academy will offer a nationally tested hands-on curriculum that has proven to be extremely successful in providing varying degrees of award-winning, **dropout prevention solutions** that ensure each student will have the **opportunity to experience academic success**.

STAR Academy will address national and state standards in four core subjects. Nontraditional methods of instruction will engage each previously failing student into finding academic success and an opportunity for personal success. STAR Academy will offer a **challenging academic program** to a diverse student population through utilization of 1.) implementation and integration of a mix of strategies 2.) providing a safe, healthy and productive school environment which will ensure student engagement and support and 3.) STAR will provide students the much-needed opportunity to succeed in school through state of the art technology, software, Science laboratories and hands-on learning within small groups (learning communities). STAR Academy will enable students to attend a small school with small classroom sizes, while providing a **rich, rigorous curriculum** to every ninth grade student who has failed two or more years of school. Each STAR Academy student will engage in learning with a certified, competent teacher. Each student **will earn enough credits** within a one year period, allowing them to graduate with their original classmates. This accelerated programming is highly successful nationally. STAR was *introduced* to select students during the 2009-2010

school year with great success. Pulaski County Special School District is now thrilled at the prospects of opening a **full-scale STAR Academy** to all students who are so close to ending their education due to failure. STAR Academy will begin each school day at 8:25 and end at 3:45 each day, Monday through Friday, following the school calendar of all schools within Pulaski County Special School District.

Programming

- Students who **must have credit recovery classes in grade 9** in order to graduate with their classmates, or to graduate *at all* will be given the opportunity to explore educational avenues other than the traditional educational program currently offered within Pulaski County Special School District schools. Students will be required to attend classes for seven hours each day. The focus of the Academy will be a combination of individualized instruction, cooperative-pair learning, team-based learning, and whole-class learning experiences. These instructional strategies combined with kinesthetic experience will accommodate the various learning styles of STAR Academy students. This combination of instructional methods will help students develop communication skills, build teamwork and leadership skills, and will allow students to participate in relevant career learning activities. Using this methodology will connect school, families and the community for a seamless educational system. Most of all, the ninth grade student **will** acquire credits allowing them to be placed the following year with their appropriate grade and graduating class.
- STAR Academy curriculum will be standards based and focused on the academic core. The curriculum is tailored to student needs and goals such as grade acceleration, end-of-course preparation, or credit recovery. The program will offer eight core content courses:

two each in mathematics, Science and English/Language Arts, one course in Social Studies and one elective.

STAR Academy will prepare its students for success through innovative programming that:

- ✓ Provides STAR students with extended learning opportunities for increased achievement;
- ✓ Allows students freedom and flexibility in exchange for exceptional levels of accountability;
- ✓ Will offer students the appropriate and innovative coursework required for grade/age appropriate school enrollment and
- ✓ Will meet the different learning styles, needs and accelerated course requirements of each ninth grade student.

C. GENERAL INSTRUCTIONS

Application Requirements and Contents

D. REQUIRED INFORMATION

The applicant for the proposed conversion public charter, if approved by the State Board of Education, agrees to operate the educational program described below in accordance with the provisions described within this document. Ark. Code Ann. §6-23-101 et.seq., the State Board of Education Rules Governing Charter Schools, and the attached assurances. This is a narrative description of various components of the proposed charter school, and the responses to the following inquiries including any supporting attachment pages **must be limited to no more than 30 pages.**

Application Standards:

1. Describe the results of the public hearing, which was held for the purpose of assessing support for the establishment of this district conversion public charter school. Provide verification that notice of the public hearing was distributed to the community, certified school personnel, and parents of all students enrolled in the public schools in the community to be served by the proposed charter school. Also, include verification that notice of the public hearing was published on a weekly basis for at least three (3) weeks prior to the date of the hearing in a newspaper having general circulation in the school district.

A public hearing for the purpose of assessing community support and concerns was held in the media center of Jacksonville High School on Tuesday, September 15th at 6:30pm. Approximately forty-five parents, staff, administrators and community members were in attendance. Pulaski County Special School District's Deputy Superintendent, June Elliott presented an extremely comprehensive overview of the conversion school concept, an explanation of support both academically and financially was provided, as well as STAR Academy's academic concept of credit recovery, course acceleration and graduation acceleration. (See Attachment A) Support, questions and concerns were voiced as well as questions on implementation timelines, academic content and student graduation rates of success. All questions from those attending were addressed. The formal meeting concluded at 6:30 with district and school administrators mingling and addressing one-on-one questions from individuals. Students currently participating in the pilot program attended and assisted in the answering of questions. All parents and district staff expressed genuine interest in going forth with the proposed conversion school. Verification of notice to the public, parents, and certified school personnel are attached:

-Attachment B-a copy of the notice that ran in the Arkansas Democrat Gazette, a daily newspaper that published the notice on August 20th, 27th and September 3rd, 2009.

-Attachment C-a copy of the invoice from the Arkansas Democrat newspaper

-Attachment D-a copy of the announcement of the meeting sent to all certified staff within the STAR Academy area of Jacksonville and parents of students within grades eight and nine enrolled within the district.

2. Give the mission statement of the proposed district conversion public charter school.

Star Academy provides an intensive, individualized academic program for Pulaski County students with multiple learning differences, with a commitment to helping them achieve their full potential and lead gratifying, productive lives.

a. Describe the educational need for the school.

Pulaski County Special School District is the second largest school district in Arkansas, with a K-12 enrollment of approximately 17,568 students. The district has six schools that house eighth grade students and six schools that house ninth grade students. According to data released by the Office of Research Management and Evaluation (ORME) at the University of Arkansas, Jacksonville High School's ninth grade students that will comprise STAR Academy initially are underachieving on standardized tests compared to comparable students with similar economic backgrounds (69% Free and Reduced lunch). The data regarding Jacksonville High School is both alarming and staggering as seen in the table below:

Name	Literacy Proficiency (%)	Math Proficiency (%)	Enrollment	Economically Disadvantaged Enrollment (%)	Grade Levels	Charger School?
Jacksonville High School 2400 Linda Lane Jacksonville, AR 72076	30.4	34.5	332 ninth graders	46.8	9-12	No

Yes, other elementary and junior high schools in the district have numerous students achieving below proficient on standardized tests, however the goal of STAR Academy is to initially enroll a maximum of 80 students in the STAR program that is designed to serve at-risk students and to ensure that each student will have the opportunity to experience academic

success. Because a student who fails ninth grade has a 75% probability of dropping out of school, STAR Academy will target these specific students. Different learning methods, productive communication techniques, parental involvement, and a nontraditional method of instruction by which to engage all student learning will transpire. Attendance rates and a lower drop-out rate will occur within STAR Academy due to one on one engaging of students in learning, and the reduction of negative behavioral incidents. Because these **students are over-aged** for their grade, STAR will provide a learning environment that is *not* embarrassing allowing them to make up coursework and “get back on track” toward graduating from high school. This second chance can mean a real difference in the student’s prospect of earning a high school diploma. The students entering STAR Academy will begin thinking about going beyond high school. These students will be introduced to being successful in life.

STAR Academy’s curriculum STAR that will be incorporated allows a first semester ninth grader that is one to two years behind in school due to retention or other problems, to work on the ninth grade level during first semester and the second semester would involve tenth grade materials. When a ninth grade student enters and attends STAR for a year and successfully completes the requirements, then that student will return to Jacksonville High School as an eleventh grader, or Junior.

Based on Jacksonville High School’s school improvement status, STAR’s restructuring plan and first semester’s “taste of success by students” the STAR pilot program has proved to be a win-win situation for all educators, students and community members involved. (See Attachment E-Jacksonville Mayor’s Letter of Support).

STAR Academy is not a replacement for the district’s Learning Academy housing alternative education students. The student’s that will enter STAR Academy are students who have failed a

minimum of one year within the educational system and are a high-risk of dropping out of school due to personal academic failures.

b. Describe the educational program to be offered by the public charter school.

A vital element and selling point in regards to adopting the STAR Academy curriculum is its promise and commitment to students. Placing STAR Academy in close proximity to Jacksonville High School, a traditional school, allows students to feel a part of the Jacksonville High School campus, however STAR Academy will become a school in and of itself. Star Academy students will become part of a year-long academically structured curriculum. The STAR curriculum allows students who have previously experienced academic failure to regain their self-confidence and self-esteem. National results studied by the Pulaski County Special School District's team of administrators and teachers, indicate an increase in student attendance and reduced negative behaviors and attitudes!

A unique aspect of STAR Academy is that the **direct need** of each individual student will be met individually. STAR Academy will target directly disengaged students who are typically overage eighth and ninth grade students. They have previously failed one or more grades.

STAR Academy will employ a standards-based curriculum in Science, Mathematics, English and Social Studies. Students will be exposed to a variety of instructional methods incorporating hands-on learning, real-world learning experiences, individualized instruction, team instruction and personal development. As mentioned previously the curriculum is standards based and focused on the individual students academic core needs. Perhaps one student needs a program goal of grade acceleration, another needs end-of-course preparation, or credit recovery. Additionally, parents, teachers, and students are taught how to communicate

productively and work together as a team in a safe and productive classroom and school environment. STAR incorporates:

- ❖ **Course Design:** STAR is a block-scheduled school that addresses English/Language Arts, Social Studies, Science and Mathematics. **Students may receive up to eight credits in one year.**
- ❖ **Diagnostic/Prescriptive Lessons:** STAR lessons provide an immediate diagnosis and determination of a student's current level of understanding in core content areas. Lessons are then prescribed for each of the student's individual needs. These individualized lessons are completed prior to working in cooperative learning pairs or small groups, ensuring students are all at equivalent levels of knowledge.
- ❖ **Cooperative Learning Pairs:** STAR Math and Science modules will empower students to take ownership of their learning while working in cooperative learning pairs. By working together, students learn not only the curriculum/subject content, but also gain skills in the area of teamwork, communication and cooperation. In each module, two students experience these components of learning; 1.) learner preparation 2.) pretest 3.) reading time 4.) research 5.) challenge and application 6.) questions/problems 7.) test review 8.) cooperative learning exploration 9.) posttest 10.) enrichments 11.) culminating activities and 12.) discovery days. Each of these components requires STAR Academy students to use hands-on, interactive content delivery through a multimedia or multi-modal experience. Cooperative learning pairs also allows students to gain additional knowledge far beyond what is being taught within the curriculum through exploration and questioning!

5. List the specific measurable goals in reading, reading comprehension, mathematics, and mathematics reasoning based on the state mandated assessments, and any other assessment tools if used, for improving student academic achievement for each year of the public charter schools initial five (5) year period.

Baseline data for state testing and No Child Left Behind school improvement goals for STAR Academy will be based on state mandated assessment data established within the Pulaski County Special School District.

- Year 1: The students of STAR Academy will meet adequate yearly progress as defined by the Arkansas Department of Education and the No Child Left Behind legislation.
- Year 2: The students of STAR Academy will meet adequate yearly progress as defined by the Arkansas Department of Education and the No Child Left Behind legislation.
- Year 3: The students of STAR Academy will meet adequate yearly progress as defined by the Arkansas Department of Education and the No Child Left Behind legislation.
- Year 4: The students of STAR Academy will meet adequate yearly progress as defined by the Arkansas Department of Education and the No Child Left Behind legislation.
- Year 5: The students of STAR Academy will meet adequate yearly progress as defined by the Arkansas Department of Education and the No Child Left Behind legislation.

6. Describe the process that will be used to develop and align the curriculum with the Arkansas Curriculum Frameworks.

The decision to fully implement the STAR curriculum within the conversion charter school is based directly on correlation with the Arkansas Curriculum Frameworks. The company from which the Star Academy Program is purchased begins with on-site workshops that allows in-servicing and working together; directly with all staff in the specific curriculum alignment of our state. Not only do Star Program employees introduce and engage the PCSSD staff to various curriculum and program components, but it also meshes in professional development experiences ensuring that the conversion school staff are implementing **fully** each of the curriculum frameworks. Assessments will also be developed for frequent monitoring to ensure that students are progressing. These assessments will be above and beyond what STAR programming has incorporated. A combination of portfolios, projects, simulations, norm-referenced, criterion referenced, performance series and other assessments will be used to provide a rich picture of student learning. Standards, curriculum and assessment will be aligned with each other and with the school's vision to create a quality educational school.

Steps in this process include:

- Instructors will work with colleagues from Star programming disciplines to understand the frameworks. They will identify concepts, units, skills and principles that must be taught to address the frameworks. Test data and frameworks will be used to complete this process. Curriculum mapping will be incorporated. Each correlation will allow for vertical alignment completion. Star consultants will work with STAR Academy employees throughout the year to ensure that the frameworks are embedded into the instruction.

- Testing assessments will be developed to provide feedback regarding the instruction.

These common assessments will be administered to all students. As previously mentioned, a combination of portfolios, projects, simulations, norm-referenced, criterion referenced, performance series, and other assessments will be used to determine student achievement. Students who may not be making progress will be identified and interventions will be made to ensure success.

- 7. Describe the enrollment criteria and the student selection process. Include a statement that a random, anonymous student selection method will be utilized in the event that more students apply for admission to the charter school than can be accommodated under the terms of the charter, except as allowed for in Ark. Code Ann. §6-23-306(14)(C). Should an applicant believe that the use of a weighted lottery is necessary, the applicant shall state how they will comply with the requirements of Arkansas Code Annotated 6-23-306(14) (c).**

STAR Academy has a proposed enrollment of 80 during the 2010-2011 school year. Star programming is designed for a school of 40, 80 or 120 students the first year. STAR Academy will be open to any ninth grade student who resides in Pulaski County Special School District. In accordance with all federal and state laws, no student will be denied enrollment in the school based on race, ethnicity, national origin, gender or disability.

Students who are currently enrolled in Jacksonville High School will have first priority for enrollment in the conversion charter school. Next, priority will be given to students who are a part of the Pulaski County Special School District. Home school students will be given the next priority.

Should the number of students seeking enrollment in the school exceed capacity, the students will be randomly selected using a secret ballot/drawing according to priority. The total number of students enrolled in the school during the first year will not exceed 80.

- 8. Summarize the job descriptions of the school director and other key personnel. Specify the qualifications to be met by professional employees (administrators, teachers, counselors, etc.) of the program. List the types of administrative positions, teaching positions and support positions and how many of each.**

School Director:

The School Director of STAR Academy will hold a degree and an administrative license. This person will be highly qualified to serve in this capacity and will model the school's philosophy. The Director's primary responsibility is to spearhead the implementation of all programs outlined and ensure that the school is reaching its goals and mission: academic achievement of every student. The Director will provide instructional leadership for STAR staff. This person will work with STAR consultants and Deputy Director June Elliott in the areas of curriculum planning, review and implementation, and in professional development. This person will have all student slots filled prior to the opening of school. The first year of the conversion charter will enroll a maximum of eighty students. The second year enrollment will increase. The Director is responsible for building administration and the safety and welfare of the students and staff.

Other Duties:

- a. Establishes, monitors and revises schedules
- b. Provides supervision to students
- c. Supervises extra-curricular and elective activities
- d. Evaluates instructors
- e. Provides professional development opportunities for building personnel
- f. Manages the school budget
- g. Establishes and meets with school teams to monitor implementation for the school program
- h. Implements policy and procedures established in the approved STAR Academy, by the Pulaski County Special School District Board and the Arkansas Department of Education
- i. Develops and maintains a communication plan to build relationships with parents, parent groups and community

The administrative structure for STAR Academy is covered under the existing district structure. The Pulaski County Special School District's School Board and the Arkansas Department of Education continues to be the one and only governing body for the district. The Superintendent and Deputy Superintendent of PCSSD maintain control as the two district personnel with the most responsibility and authority in the day-to-day operations of all schools in the district, including the charter school. The STAR Academy School Director works under the supervision of the Superintendent and Deputy Superintendent and has direct authority over all personnel in the charter school.

Due to the fact that STAR Academy as a conversion charter school will be an integral component of and exists on the high school grounds, all support personnel, including counselors, physical therapist, aides and librarians are seamlessly involved in supporting the charter school.

All teacher positions will comply with state rules and regulations.

9. Describe the manner in which the school will make provisions for the following student services: Guidance Counselor, Health Services, Media Center, Transportation, Food Services, Special Education, Alternative Education, Gifted and Talented Program.

As indicated in the prior question, Section 8, a seamless, transparent continuation of all existing structures and student services is maintained by design in the Pulaski County Special School District's conversion charter; STAR Academy.

It should be noted that any student with a disability entering STAR Academy shall be provided specific services, understanding that all aspects of IDEA apply. No waiver/s are being requested regarding the school or districts responsibility in the providing of services for students with disabilities.

- 10. Provide a statement that the charter school will participate in the Arkansas Public School Computer Network for reporting education data, as required by state statute or by State Board of Education rule.**

During the 2010-2011 school year, STAR Academy will report all educational data through the Arkansas Public School Computer Network.

- 11. Describe the facilities to be used. Give the present use of the facility and the use for the past three (3) years. Include a statement that the facility will comply with all requirements for accessibility in accordance with the Americans with Disabilities Act (ADA) and Individuals with Disabilities Education Act (IDEA) and all other state and federal laws. If the facility does not currently meet these requirements, provide a list of items that will need to be addressed to bring the facility into compliance.**

The concept being requested will allow STAR Academy's ninth grade students to attend school on the campus of Jacksonville High School. Jacksonville High School currently maintains the area to be used by STAR Academy. The building has served as a high school since its construction. STAR will maintain one wing/area of the school allowing students to stay focused and integrated within their curriculum.

The facilities comply with the requirements for accessibility in accordance with ADA and IDEA. If students enroll with exceptional needs beyond current modification, the Pulaski County Special School District is committed to making the modifications needed to comply with ADA and IDEA.

As addressed through the local zoning authority letter (See Appendix F) the construction of Jacksonville High School was built for the intended purpose of educating high school aged children, grades nine through twelve. There are no alcohol sales within 1000 feet of the facility.

12. List the provisions of Title 6 of the Arkansas Code Annotated (Education Code) and the rules and regulations, including sections of the *Standards for Rules* as allowed, established by the State Board that the district conversion public charter.

STAR Academy requests the following waivers from Arkansas Code Annotated, State Board of Education Rules and Regulations, and Standards for Accreditation of Arkansas Public Schools:

6-15-1004 Qualified teachers in every public classroom

STAR Academy requests the flexibility to employ instructors it feels will be most successful in the program, regardless of licensure status.

6-16-102 School Day

Based on student need and program design, STAR Academy requests that the option to extend the school day remain flexible. STAR Academy is requesting competency based/mastery learning. At this time a pilot program only has been tested and/or implemented. Need for school day flexibility will be based on eighty students the first year, rather than the current sampling.

6-17-401 Teacher's license requirement

STAR program design facilitates the need to utilized contract services for personnel to instruct specialized topics for a few hours daily or short periods of time; therefore, full compliance with this statue would be restrictive.

6-17-902 Definition of a teacher

STAR Academy and program design facilitates the need to utilize contracted services for personnel to instruct specialized topics for a few hours daily or short periods of time; therefore, full compliance with this statue would be restrictive

**6-17-1501 Public School Fair Hearing Act
through**

6-17-1705 In order to recruit and maintain the most highly qualified instructors to teach such a diverse student population, a request for this waiver is being made. Star Academy pledges that all constitutional due process will be followed in all employee dismissal events.

6-17-203 Committee for Each School District

STAR Academy requests that the charter school not be subject to review by the Personnel Policies Committee due to the program design.

Standards Waivers Requested:

Class Size and Teaching Load

Due to program design, STAR Academy Conversion Charter School requests that this standard be waived. STAR strives to keep the traditional educational setting classroom to a 12-1 ration, but in the non-traditional educational setting the required ratio would not allow the flexibility needed.

Support Services /Media Services

STAR Academy requests a waiver from this standard since media will be available through the largest online library of interactive materials and access to lending library resources from Jacksonville High School and nearby Cooperatives.

Records and Reports

The annual applications for district programs grades eight, nine and ten shall be inclusive of the conversion charter school serving these grades. Applications will not be replicated (Guidance, ACSIP, Gifted and Talented, etc.)

13. Describe the potential impact of the proposed district conversion public charter school on the efforts of a public school district or districts to comply with court orders and statutory obligations to create and maintain a unitary system of desegregated public schools.

The August 25, 2009 enrollment data for Pulaski County Special School District indicates that there are 17,568 students enrolled. Data indicates 7,999 of these students are enrolled in grades six through twelve, with 3,974 (50%) being Black 4,025 (50%) being Non-Black. Currently Jacksonville High School's ninth grade enrollment is 332, with 207 students being Black and 125 students being Non-Black.

The Pulaski County Special School District does not expect that STAR Academy which will be housed on the campus of Jacksonville High School will have an impact on racial composition. The district does not expect a negative impact on neighboring district's efforts to create and maintain a unitary system of desegregated schools.

- 14 **a. Describe how the certified employees and parents of students to be enrolled in the conversion public charter school will be involved in developing and implementing the school improvement plan and identifying performance criteria; and**
- b. Describe how the concerns of certified employees and parents of students enrolled in the conversion public charter school will be solicited and addressed in evaluating the effectiveness of the improvement plan.**

a. Parents and school district employees have laid, and will continue to lay the ground work for Pulaski County Special School District, including Jacksonville High School and STAR Academy. Upon the selection of the program, district administrators, parents and teachers sat down together to think the program's benefits through, as well as to receive profession development regarding the STAR Program from their staff. Upon the Conversion Charter School status being given by the Arkansas Board of Education, the school's Director will begin identifying students to attend during the 2010-2011 school year. Each child's needs shall have a distinct difference from other students. Based on this fact the Director, educator, parent and student must and will sit down together to develop the student's class schedule for the following year. The student and parent will literally visualize the accomplishments that the student can make, and together will incorporate the child's credit recovery needs to their personal situation. It is imperative that the parent and any extended family member "buy into" this STAR Academy concept in order for the student to reach their high school graduation requirements and date of graduation. One-on-one programming with parent, student and educator is truly critical to the impetus of this Academy succeeding.

b. The concern of certified employees, parents of students and the students themselves prompted the initial discussion of the STAR Academy concept. Teachers and Jacksonville High School employees had a passion to assist these students that were to inevitably become high school drop-outs. Statistics show that students, particularly males, who have been retained twice were 75% more likely to drop out of school. To the City of Jacksonville, Pulaski County Special School District and Jacksonville High School staff and administration, this statistic was simply not acceptable. With the support of the community, Jacksonville Junior High and Jacksonville High School staff input and ideas were brainstormed. After attending numerous meetings and in-services regarding the STAR program, and because of its high success rate across the nation, this curriculum and design of education for the non-traditional student was carefully selected by Jacksonville staff, parent advisory committee members and District administrators.

Parents and educators alike became ecstatic with the concept that students who had failed one or two years of school could indeed work hard to regain their lost credits and once again become a part of their original graduating class. This prior planning was done as the pilot program was initiated. Now, upon completion of the public hearings and after speaking with parents whose children would be a part of this program during the following year, as well as testimonials by a few of the students currently enrolled within the pilot program, the concerns of students, parents and administrators have been rectified. With prior planning having been done, the implementation of the STAR Program and STAR Academy is a dream come true.

Students, parents, educators and district administrators **will be a part of the** following benefits of the STAR Academy Program:

- Accelerated learning of overage eighth-and ninth grade students who have previously failed so that they can successfully enter the 10th grade
- Reducing the number of overage students dropping out of the eighth and ninth grades
- Engaging of overage students in relevant, career-linked learning
- Employing of differentiated methods of learning
- Increasing student attendance from prior school years
- Reducing negative behavioral incidents from prior school years.

This is truly a win-win situation for all involved; the student, parent, teacher, administrator and State of Arkansas in regards to its educational testing levels and graduation rates. Pulaski County Special School District and Jacksonville High School are extremely excited about implementing this STAR Academy Conversion Charter School.

Attachment A



Pulaski County Special School District

Office of the Superintendent

Rob McGill, Acting Superintendent
Linda G. Paladino, Executive Assistant

September 1, 2009

Arkansas State Board of Education
Arkansas Department of Education
#4 Capitol Mall
Little Rock, AR 72201

Dear State Board Members,

As President of Pulaski County Special School District's Board of Education I welcome this opportunity to support STAR Academy and its request to become the district's first Conversion Charter School! Through the implementation of the STAR Program within STAR Academy, a tremendous difference *will be made* in the lives of ninth grade students.

PCSSD realizes that 75% of the nation's ninth graders who have failed one or two years of school resort to dropping-out of the educational system! This simply is not acceptable. The City of Jacksonville, Jacksonville High School and Pulaski County Special School District as a whole are addressing this issue. Each students need must be addressed as together we continue to implement *No Child Left Behind*.

Thank you for this opportunity of allowing Pulaski County to think "outside of the box." It is an opportunity we take very seriously as together we work to provide a one-on-one educational learning system for our students.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Tim Clark", is written over a circular stamp that is partially visible.

Mr. Tim Clark, President
Pulaski County Special School Board

Attachment B

STAR Academy
Conversion Charter School
Public Hearing
Tuesday, September 15, 2009
5:30pm

AGENDA:

- Introduction of Pulaski Special School District/School Personnel
- Overview of what a Conversion Charter School is
- Course Acceleration....Grade Acceleration...Graduation
- Credit Recovery Program
- Explanation of Support
 - Academically
 - Financially
- Questions/Concerns

THANK YOU FOR YOUR ATTENDANCE ON THIS
RAINY EVENING!

STAR Academy

Conversion Charter School

Public Hearing

Tuesday, September 15, 2009

5:30pm

SIGN-IN SHEET:

1. Danny Hilland
 2. Will Wray
 3. June Elliott
 4. Charlotte Wallace
 5. John Hofheimer
 6. Dan O'Leary
 7. Alessandra Steed
 8. Kaisha Steed
 9. Margie Jeff
 10. Simone Lica
 11. Rhonda Hamish
- Bill Barnes

12. *Mini Packard*

13. *Two Gray*

14.

15.

16.

17.

18.

19.

20.

21.

22.

23.

24.

25.

26.

27.

28.

Attachment C/D

Arkansas Democrat Gazette

STATEMENT OF LEGAL ADVERTISING

PULASKI CO SPECIAL SCHOOL DIST
925 DIXON RD
LITTLE ROCK AR 72216

REMIT TO:
ARKANSAS DEMOCRAT-GAZETTE, INC.
P.O. BOX 2221
LITTLE ROCK, AR 72203

ATTN: Deborah McAfee
DATE : 08/27/09 INVOICE #: 2462051
ACCT #: L1135599 P.O. #:

BILLING QUESTIONS CALL 378-3812

STATE OF ARKANSAS,
COUNTY OF PULASKI, } ss.

I, Elizabeth Myers do solemnly swear that I am the Legal Billing Clerk of the Arkansas Democrat - Gazette, a daily newspaper printed and published in said County, State of Arkansas; that I was so related to this publication at and during the publication of the annexed legal advertisement in the matter of:

public hearing
pending in the Court, in said County, and at the dates of the several publications of said advertisement stated below, and that during said periods and at said dates, said newspaper was printed and had a bona fide circulation in said County; that said newspaper had been regularly printed and published in said County, and had a bona fide circulation therein for the period of one month before the date of the first publication of said advertisement; and that said advertisement was published in the regular daily issues of said newspaper as stated below.

DATE	DAY	LINAGE	RATE	DATE	DAY	LINAGE	RATE
08/13	Thu	14	1.25				
08/20	Thu	14	1.25				
08/27	Thu	14	1.25				

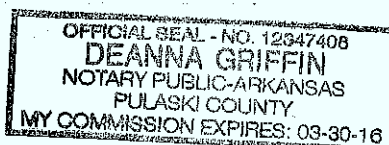
TOTAL COST ----- 52.50
Billing Ad #: 57775061

AD COPY

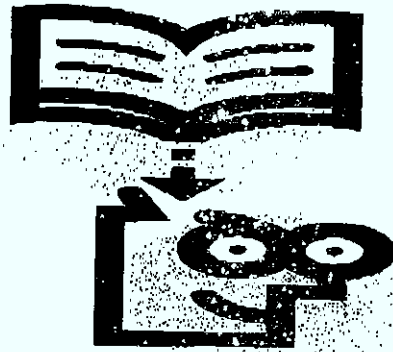
NOTICE OF PUBLIC HEARING
A public hearing regarding the establishment of a Conversion Charter School at STAR Academy will be held on Tuesday, September 15, 2009 at 5:30pm at STAR Academy's Media Center, 201 Sharp Street, Jacksonville, AR 72076. Patrons are invited to attend.
57775061

Subscribed and sworn to me this 27
day of Aug, 2009

Notary Public



Attachment E



***Please
Come
Share
Your
Ideas!
STAR
Needs
YOU!***

5:30pm

STAR Academy

201 Sharp Street

Jacksonville, AR

Tuesday, Sept. 15th

In an effort to continue to be the very best school available to students, STAR Academy will be holding a "PUBLIC HEARING" to share ideas on becoming a conversion charter school.

PLEASE COME HEAR AND SHARE YOUR IDEAS!

Attachment F



OFFICE OF THE MAYOR

CITY OF JACKSONVILLE

Hon. Gary W. Fletcher

#1 MUNICIPAL DRIVE

501-982-3146 / Fax: 985-0168

P.O. BOX 126

JACKSONVILLE, AR 72078-0126

September 1, 2009

Arkansas State Board of Education
Arkansas Department of Education
#4 Capitol Mall
Little Rock, Arkansas 72201

Dear State Board of Education,

Thank you for your consideration in approving STAR Academy as a conversion charter school. As Mayor of Jacksonville, I am thrilled at the prospect of meeting the students where they are in their educational experiences and helping them to succeed. Through the implementation of a school and curriculum by which students who have faced one to two years of academic failure may gain their credits and return to their graduating class is a win-win situation for students, parents, the community and State of Arkansas. The STAR Academy has much to offer these children and their future.

Should you have any questions regarding the Jacksonville area, our educational goals and achievements or wish to tour the Jacksonville High School campus which will absorb this conversion school, please do not hesitate to ask. We welcome your visit.

Thank you again for your leadership and support.

Sincerely,



Gary Fletcher, Mayor

CITY OF JACKSONVILLE, ARKANSAS

Attachment G



ENGINEERING DEPARTMENT

#1 Municipal Drive
Jacksonville, Arkansas 72076
Phone: (501) 982-6071 Fax: (501) 985-6439

August 31, 2009

Arkansas Department of Education
State Board
#4 Capitol Mall
Little Rock, Ar 72202

To Whom It May Concern:

As City Engineer for the City of Jacksonville, Ar, I have determined that there are no sales of Alcohol, nor services of Alcohol within 1000 feet of Jacksonville High School. I have attached a map for your convenience.

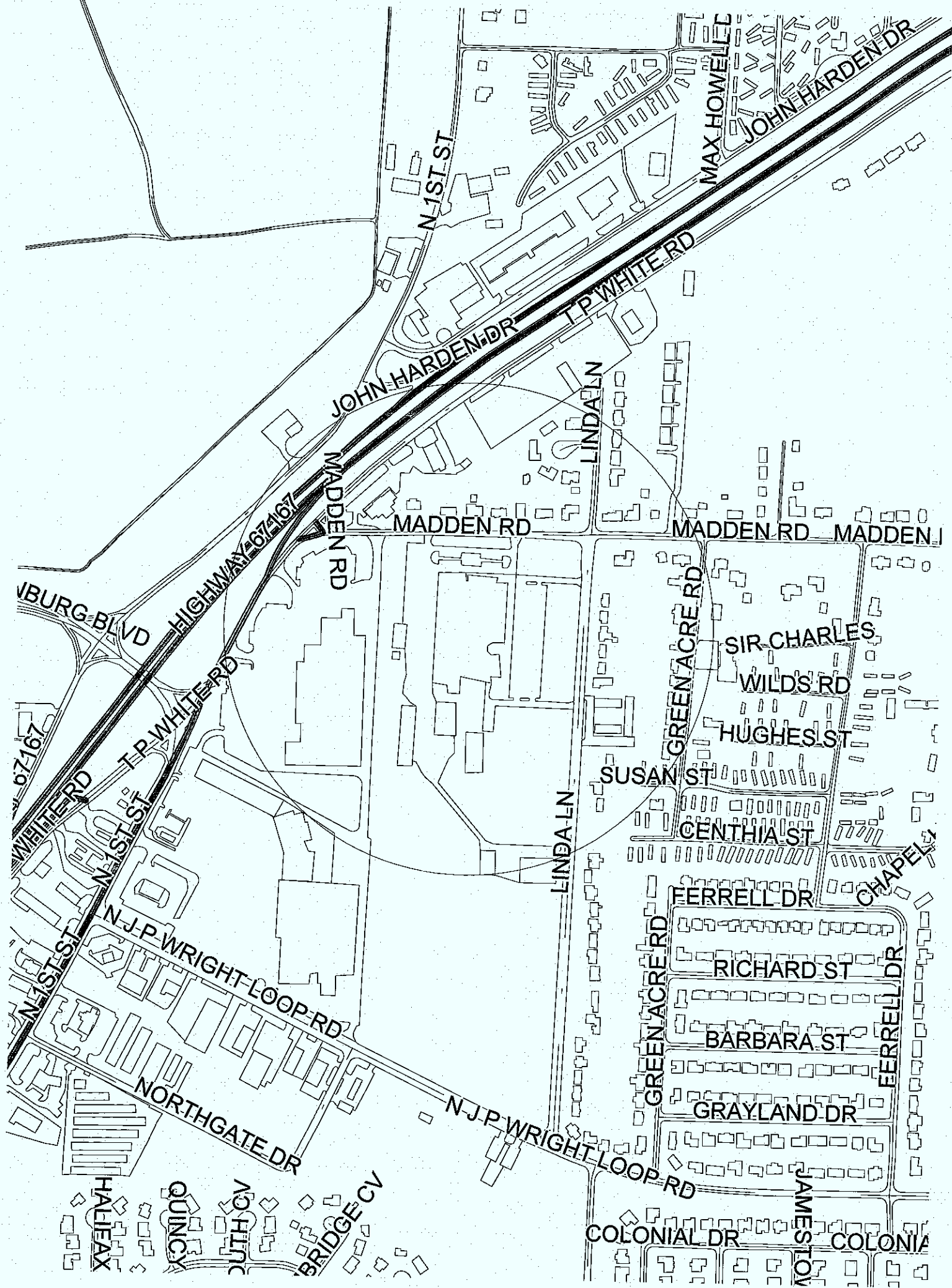
If you should have any questions, please feel free to contact me at 501-982-6071 or by E-mail at jwhisker@cityofjacksonville.net.

Sincerely,

A handwritten signature in black ink, appearing to read "Jay Whisker". The signature is fluid and cursive, with the first name "Jay" and last name "Whisker" clearly distinguishable.

Jay Whisker, P.E.
City Engineer
City of Jacksonville

JW/lid



Pulaski County Special School District

July 2009

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

August 2009

S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

September 2009

S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

October 2009

S	M	T	W	T	F	S
			1	2	3	
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

November 2009

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

December 2009

S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

2009-2010

925 East Dixon Road
Little Rock, AR 72206
501-490-2000

Independence Day—District observed	July 6
Staff Development	August 12-14
Classroom Preparation	August 17-18
First Day for Students	August 19
Labor Day (no school)	September 7
End of Quarter – 41 days	October 15
Records Day/Staff Dev (no school)	October 16
Parent Conference (no school)	October 16-17
Staff Development (AEA) (no school)	November 5-6
Staff Development (no school)	November 25
Thanksgiving (no school)	November 26-27
End of Quarter – 40 days	December 18
Winter Break (no school)	December 21- Jan 1
Martin L. King's Birthday (no school)	January 18
Staff Development (no school)	February 15
End of Quarter – 47 days	March 11
Records Day/Staff Dev (no school)	March 12
Spring Break (no school)	March 22-26
Good Friday (no school)	April 2
Memorial Day (no school)	May 31
End of Quarter – 50 days	June 1
Last day of school	

*** **PARENT CONFERENCES** are held for 3 hours after school is dismissed. Contact the school for additional information.

*** **MAKE-UP DAYS** for unavoidable loss of days due to emergency circumstances resulting from contagious disease outbreaks, inclement weather, or other acts of God.

Department Contact Phone Numbers

Human Resources: 490-6210 Equity & Pupil Services: 490-6307
Learning Services: 490-6281

Additional information may be
obtained at WWW.PCSSD.ORG

January 2010

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

February 2010

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28						

March 2010

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

April 2010

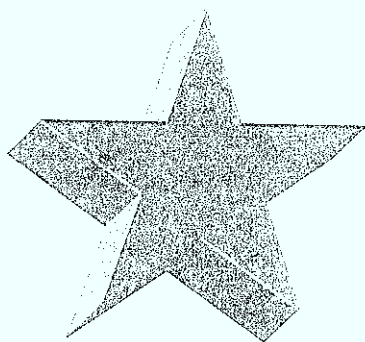
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

May 2010

S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

June 2010

S	M	T	W	T	F	S
		1				5
6			9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			



STAR ACADEMY
201 SHARP STREET
JACKSONVILLE, ARKANSAS 72076
PHONE 501-982-9407
FAX 501-241-2108

Bell Schedule

Period	Time
1st	8:25-9:10
2nd	9:10-9:55
3rd	9:55-11:15
Lunch	11:15-11:45
4th	11:45-1:05
5th	1:05-2:25
6th	2:25-3:45

**Public Charter School Application
Budget Worksheet/Template**

Line#	<u>Revenues</u>	<u>Amount</u>	<u>Total</u>
1	State Public Charter School Aid:		
2	No. of Students <u>80</u> x <u>\$3,799.69</u> State Funding Foundation		
3			<u>\$303,975</u>
4	Total State Charter School Aid <u>\$450,000</u>		<u>\$450,000</u>
5			
6	Other Sources of Revenues:		
7	Private Donations or Gifts	_____	
8	Federal Grants (List the amount)	_____	
9	Special Grants (List the amount)	_____	
10	Other (<i>Specifically Describe</i>)	_____	
11			
12			
13	Total Other Sources of Revenues		_____
14			_____
			<u>0.00</u>
15	TOTAL REVENUES		<u>\$753,975</u>
16			
17	<u>Expenditures</u>	<u>Amount</u>	<u>Total</u>
18			
19	Administration:		
20	Salaries: (<i>No. of Positions</i> <u>1</u>)	<u>\$68,444</u>	
21	Fringe Benefits	<u>\$20,750</u>	
22	Purchased Services	<u>\$10,000</u>	
23	Supplies and Materials	<u>\$30,000</u>	
24	Equipment	_____	
25	Other (<i>Describe</i>)	_____	<u>\$129,194</u>
26			
27	Regular Classroom Instruction:		
28	Salaries: (<i>No. of Positions</i> <u>4</u>)	<u>\$205,192</u>	
29	Fringe Benefits	<u>\$65,341</u>	
30	Purchased Services	_____	
31	Supplies and Materials	<u>\$410,000</u>	
32	Equipment	_____	
33	Other (<i>Describe</i>)	_____	<u>\$680,533</u>

34

(Budget Continued)

35 Special Education:

36 Salaries: *(No. of Positions ____)*

37 Fringe Benefits

38 Purchased Services

39 Supplies and Materials

40 Equipment

41 Other *(Describe)*

42

\$0.00-in-kind

43 Gifted and Talented Program:

44 Salaries: *(No. of Positions ____)*

45 Fringe Benefits

46 Purchased Services

47 Supplies and Materials

48 Equipment

49 Other *(Describe)*

50

\$0.00-in-kind

51 Alternative Education Program:

52 Salaries: *(No. of Positions ____)*

53 Fringe Benefits

54 Purchased Services

55 Supplies and Materials

56 Equipment

57 Other *(Describe)*

58

\$0.00-in-kind

59 Guidance Services:

60 Salaries: *(No. of Positions ____)*

61 Fringe Benefits

62 Purchased Services

63 Supplies and Materials

64 Equipment

65 Other *(Describe)*

66

\$0.00-in-kind

67 Health Services:

68 Salaries: *(No. of Positions ____)*

69 Fringe Benefits

70 Purchased Services

71 Supplies and Materials

72 Equipment

73 Other *(Describe)*\$0.00-in-kind

75 Media Services:

76	Salaries: (No. of Positions __)	_____	
77	Fringe Benefits	_____	
78	Purchased Services	_____	
79	Supplies and Materials	_____	
80	Equipment	_____	
81	Other (Describe)	_____	
82			<u>\$0.00-in-kind</u>

83 Fiscal Services:

84	Salaries: (No. of Positions __)	_____	
85	Fringe Benefits	_____	
86	Purchased Services	_____	
87	Supplies and Materials	_____	
88	Equipment	_____	
89	Other (Describe)	_____	
90			<u>\$0.00-in-kind</u>

91 Maintenance and Operation:

92	Salaries: (No. of Positions __)	_____	
93	Fringe Benefits	_____	
94	Purchased Services	_____	
95	Supplies and Materials	_____	
96	Equipment	_____	
97	Other (Describe)	_____	
98			<u>\$0.00-in-kind</u>
99			

100 Pupil Transportation:

101	Salaries: (No. of Positions __)	_____	
102	Fringe Benefits	_____	
103	Purchased Services	_____	
104	Supplies and Materials	_____	
105	Equipment	_____	
106	Other (Describe)	_____	
107			<u>\$0.00-in-kind</u>

108 Food Services:

109	Salaries: (No. of Positions __)	_____	
110	Fringe Benefits	_____	
111	Purchased Services	_____	
112	Supplies and Materials	_____	
113	Equipment	_____	
114	Other (Describe)	_____	
			<u>\$0.00-in-kind</u>

115

(Budget Continued)

116 Data Processing:

117 Salaries: *(No. of Positions ____)*

118 Fringe Benefits

119 Purchased Services

120 Supplies and Materials

121 Equipment

122 Other *(Describe)*

123

\$0.00-in-kind

124 Substitute Personnel:

125 Salaries: *(No. of Positions ____)*

126 Fringe Benefits

\$0.00-in-kind

127

128 If Applicable: Facilities

129 Lease/Purchase (contract for one total
year including facility upgrades):

130 Please list upgrades

131

132 If Applicable: Utilities (contract for one total
year including facility upgrades)133 If Applicable: Insurance (contract for one
total year including facility upgrades):

134 If Applicable: Property Insurance

135 If Applicable: Content Insurance

\$0.00-in-kind

136

137 Debt Expenditures:

138 Other Expenditures:

139 *(Describe)*

140

141 **TOTAL EXPENDITURES****\$1,563,702**

PULASKI COUNTY SPECIAL SCHOOL DISTRICT
CERTIFIED ADMINISTRATIVE/PROFESSIONAL/TECHNICAL/SUPERVISORY
244-DAY SALARY SCHEDULE
2009-2010

Step Range	1	2	3	4	5	6	7	8	9	10	11	12	Longev. 13 and above	Longev. Amt. in step 13
4	41,807	43,182	44,602	46,070	47,586	49,152	50,768	52,438	54,163	55,946	57,787	59,688	61,151	1463
5	43,300	44,724	46,196	47,716	49,286	50,907	52,582	54,312	56,099	57,944	59,851	61,820	63,336	1516
6	44,793	46,268	47,789	49,362	50,986	52,663	54,395	56,185	58,034	59,943	61,915	63,952	65,520	1568
7	46,287	47,810	49,383	51,008	52,686	54,420	56,210	58,059	59,969	61,942	63,980	66,085	67,705	1620
8	47,781	49,353	50,976	52,654	54,386	56,175	58,023	59,933	61,904	63,941	66,044	68,217	69,889	1672
9	49,275	50,896	52,570	54,300	56,086	57,931	59,837	61,806	63,839	65,940	68,109	70,350	72,075	1725
10	51,515	53,210	54,960	56,768	58,636	60,565	62,558	64,616	66,742	68,938	71,206	73,548	75,351	1803
11	54,502	56,295	58,147	60,061	62,036	64,077	66,186	68,363	70,612	72,935	75,335	77,814	79,722	1908
12	57,489	59,381	61,335	63,352	65,437	67,590	69,813	72,109	74,482	76,932	79,464	82,078	84,090	2012
13	60,477	62,466	64,522	66,644	68,836	71,101	73,440	75,857	78,352	80,931	83,593	86,343	88,460	2117
14	63,463	65,551	67,709	69,936	72,237	74,613	77,068	79,604	82,223	84,928	87,721	90,608	92,829	2221
15	66,451	68,637	70,895	73,228	75,637	78,125	80,696	83,350	86,093	88,925	91,851	94,872	97,198	2326
16	69,438	71,722	74,082	76,519	79,037	81,637	84,323	87,097	89,963	92,922	95,979	99,138	101,568	2430
17	72,425	74,808	77,269	79,810	82,436	85,148	87,950	90,843	93,832	96,920	100,108	103,401	105,936	2535
18	75,412	77,894	80,456	83,103	85,838	88,662	91,578	94,592	97,703	100,918	104,238	107,667	110,306	2639
19	76,906	79,436	82,050	84,749	87,537	90,417	93,392	96,464	99,638	102,917	106,302	109,800	112,492	2692
20	81,387	84,065	86,830	89,686	92,638	95,685	98,833	102,085	105,444	108,912	112,496	116,196	119,045	2849
21	84,374	87,150	90,017	92,978	96,037	99,197	102,461	105,832	109,314	112,910	116,624	120,462	123,415	2953

PULASKI COUNTY SPECIAL SCHOOL DISTRICT
CERTIFIED ADMINISTRATIVE/PROFESSIONAL/TECHNICAL/SUPERVISORY
LESS THAN 244-DAY SALARY SCHEDULE

2009-2010

Step Range	1	2	3	4	5	6	7	8	9	10	11	12	Longev. 13 and above	Longev. Amt. in step 13
7	44,106	45,557	47,056	48,605	50,204	51,855	53,561	55,323	57,143	59,024	60,966	62,971	64,515	1544
8	46,366	47,892	49,467	51,094	52,776	54,512	56,305	58,158	60,071	62,047	64,089	66,198	67,821	1623
9	49,597	51,229	52,914	54,654	56,453	58,310	60,228	62,210	64,257	66,371	68,554	70,810	72,546	1736
10	50,158	51,808	53,513	55,274	57,092	58,970	60,911	62,914	64,984	67,122	69,330	71,611	73,367	1756
11	52,708	54,442	56,233	58,083	59,994	61,968	64,006	66,113	68,287	70,534	72,855	75,252	77,097	1845
12	54,942	56,750	58,617	60,546	62,537	64,595	66,719	68,915	71,182	73,525	75,943	78,442	80,365	1923
13	57,935	59,841	61,810	63,844	65,944	68,113	70,355	72,669	75,060	77,529	80,080	82,715	84,743	2028

**PULASKI COUNTY SPECIAL SCHOOL DISTRICT
TEACHER SALARY SCHEDULE
2009-2010**

192 Days

STEP	BA	BA + 12	BA + 24	MA	MA + 15	MA + 30	MA + 45	Doctorate
1	\$31,251	\$32,751	\$34,323	\$35,971	\$37,697	\$39,507	\$41,403	\$43,390
2	\$32,001	\$33,537	\$35,147	\$36,834	\$38,602	\$40,455	\$42,397	\$44,432
3	\$32,769	\$34,342	\$35,990	\$37,718	\$39,528	\$41,426	\$43,414	\$45,498
4	\$33,556	\$35,166	\$36,854	\$38,623	\$40,477	\$42,420	\$44,456	\$46,590
5	\$34,361	\$36,010	\$37,739	\$39,550	\$41,449	\$43,438	\$45,523	\$47,408
6	\$35,185	\$36,874	\$38,644	\$40,499	\$42,443	\$44,481	\$46,616	\$48,853
7	\$36,030	\$37,759	\$39,572	\$41,471	\$43,462	\$45,548	\$47,734	\$50,026
8	\$36,895	\$38,666	\$40,522	\$42,467	\$44,505	\$46,641	\$48,880	\$51,226
9	\$37,780	\$39,594	\$41,494	\$43,486	\$45,573	\$47,761	\$50,053	\$52,456
10	\$38,687	\$40,544	\$42,490	\$44,529	\$46,667	\$48,907	\$51,254	\$53,715
11	\$39,615	\$41,517	\$43,510	\$45,598	\$47,787	\$50,081	\$52,485	\$55,004
12	\$40,883	\$42,845	\$44,902	\$47,057	\$49,316	\$51,683	\$54,164	\$56,764
13	\$42,191	\$44,216	\$46,339	\$48,563	\$50,894	\$53,337	\$55,897	\$58,580
14	\$43,541	\$45,631	\$47,822	\$50,117	\$52,523	\$55,044	\$57,686	\$60,455
15	\$44,935	\$47,092	\$49,352	\$51,721	\$54,204	\$56,805	\$59,532	\$62,389
16	\$46,373	\$48,599	\$50,931	\$53,376	\$55,938	\$58,623	\$61,437	\$64,386
17	\$46,998	\$49,268	\$51,650	\$54,157	\$56,750	\$59,467	\$62,312	\$65,292

LONGEVITY AMOUNTS INCLUDED IN 17:

\$625 \$669 \$719 \$781 \$812 \$844 \$875 \$906

All hours above bachelor **must be graduate hours.**

Susan D. Messersmith
808 S. Towering Oaks Drive
Jacksonville, Arkansas 72076

September 24, 2009

To Whom It May Concern;

I have lived in the Jacksonville community since 1976, graduated from Jacksonville High School and sent my 2 sons through Jacksonville schools over the last several years, having been an involved parent I have seen improvement in the schools and I've seen them degrade. Having said that and been a party to that I must say I am impressed with the Star program and have made comments several times how I wish we had had this program when my youngest son attended school. This program opens so many doors to students not thriving in the traditional educational environment. The opening of this program into a Charter School would allow many other students from around central Arkansas the opportunity to complete their educations; something we all need to be concerned about for the future of this community, this state and this country. This program introduces students to their own potential, something many of them never knew they had for whatever reason. Because Star has smaller class sizes each teacher has the time to get to know each student and offer them the guidance they need, to tailor their assistance to each student. Something each teacher needs to have the opportunity to do, but because of many issues in a traditional classroom they are not afforded that opportunity.

The education of our youth is in our hands and if we do not bend to the educational needs of these students we as a society are failing our children, their children and so the future goes.

Sincerely,

A handwritten signature in cursive script, appearing to read "Susan Messersmith".

Susan Messersmith

Monday, September 28, 2009

Dr. Mary Ann Brown
Arkansas State Board of Education
Conversion Charter School Office
#4 Capitol Mall
Little Rock, AR 72201

Dear Board,

On behalf of the proposed STAR Academy Conversion Charter School I would like to express my support. As counselor to these students, it is imperative a program is in place to help them "feel" self-worth and accomplish all that they dream to be.

Currently the school setting is simply not working for these students. These students are often the ones that educators say "slip through the cracks." Thus the need for such a curriculum as STAR and a full conversion to a charter school.

The current program is just a taste of what can actually be done within Pulaski County Special School District. Student success is simply imperative and the goal and mission of the principal, teachers and future students is at its peak. We want to be the catalyst by which students experience success.

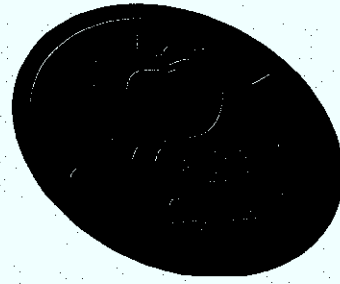
Thank you for allowing me to be a part of this endeavor. We look forward to your decision during the first of the year.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mr. Marquis Cooper".

Mr. Marquis Cooper
Counselor

Dr. Mary Ann Brown
Arkansas Department of Education
#4 Capitol Mall
Little Rock, Arkansas 72201



Dear Dr. Brown and State Board of Education,

I am one of the students who wants to stay in school and STAR Academy will really help me. It is hard when you aren't in school with your friends and you get far behind. STAR will let me be in 11th grade next year. That is what I would really like.

I know some of us might have given problems or not done our work in the past, but we will now. Thank you for letting us show you we really will do good in school.

Thank you

Kaisha Steel

Future student

STAR Academy

September 28, 2009

STAR Academy
Jacksonville High School
201 Sharp Street
Jacksonville, AR 72076

Dr. Mary Ann Brown
Conversion Charter School Office
Arkansas Department of Education
#4 Capitol Mall
Little Rock, AR 72201

Dr. Brown,

Thank you for accepting this letter of support for the proposed STAR Academy Conversion Charter School. The area of Jacksonville is simply ecstatic at the changes in students and test scores that will result from this. The so commonly referred to quote of *No Child Left Behind* truly will become a reality for students within STAR.

I would love to share with you greater insight into the curriculum and achievements of the students to be enrolled. Please visit me at any time for a tour and discussion of the proposed area.

Again, thank you for your consideration of the conversion charter school. STAR Academy looks forward to working with you in the years ahead.

Sincerely,

A handwritten signature in black ink, appearing to read "Charlotte Wallace", written over a horizontal line.

Charlotte Wallace
Director

DISTRICT CONVERSION PUBLIC CHARTER SCHOOL APPLICATION STATEMENT OF ASSURANCES

The signature of the Superintendent of the School District of the public charter school certifies that the following statements are addressed through policies adopted by the public charter school and, if approved, the local board, administration, and staff of the district conversion public charter school shall abide by them:

1. The information submitted in this application is true to the best of my knowledge and belief.
2. The proposed district conversion public charter school shall be open to all students, on a space available basis, and shall not discriminate in its admission policy on the basis of race, color, national origin, creed, sex, ethnicity, sexual orientation, mental or physical disability, age, ancestry, athletic performance, special need or proficiency in the English language, and academic achievement, although the charter may provide for the exclusion of a student who has been expelled from another public school district.
3. In accordance with federal and state laws the proposed district conversion public charter school hiring and retention policies of administrators, teachers, and other employees shall not discriminate on the basis of race, color, national origin, creed, sex, ethnicity, sexual orientation, mental or physical disability, age, ancestry, or special need.
4. Any educator employed by a school district before the effective date of a charter for a district conversion public charter school operated at a school district facility shall not be transferred to or employed by the public charter school over the educator's objection.
5. The proposed district conversion public charter school shall operate in accordance with federal laws and rules governing public schools; applicable provisions of the Arkansas Constitution; and state statutes or regulations governing public school not so waived by the approved charter.
6. The proposed district conversion public charter school shall ensure that any of its employees who qualify for membership in the Arkansas Teacher Retirement System or the State and Public School Employee Insurance Program shall be covered under those systems to the same extent a qualified employee of the school district is covered.
7. The proposed district conversion public charter school shall comply with all health and safety laws, rules and regulations of the federal, state, county, region, or community that may apply to the facilities and school property.

8. The employees and volunteers of the district conversion public charter school are held immune from liability to the same extent as other school district employees and volunteers under applicable state laws.
9. The district conversion public charter school shall be reviewed for its potential impact on the efforts of a public school district to comply with court orders and statutory obligations to create and maintain a unitary system of desegregated public schools.
10. The charter applicant should know that certain provisions of state law shall not be waived. The proposed district conversion public charter school is subject to any prohibition, restriction, or requirement imposed by Title 6 of the Arkansas Code Annotated and any rule and regulation approved by the State Board of Education under this title relating to:
 - (a) Monitoring compliance with Ark. Code Ann. § 6-23-101 et seq. as determined by the Commissioner of the Department of Education;
 - (b) Conducting criminal background checks for employees;
 - (c) High school graduation requirements as established by the State Board of Education;
 - (d) Special education programs as provided by this title;
 - (e) Public school accountability under this title; and
 - (f) Health and safety codes as established by the State Board of Education and local governmental entities.
11. The facilities of the proposed charter school shall comply with all requirements for accessibility for individuals with disabilities in accordance with the ADA and IDEA and all other state and federal laws.



Signature of Superintendent of School District

Rob McGill

Print or type name

Date: 9-17-09

Application Cycle 2010

ADE Evaluation

STAR Academy



ARKANSAS DEPARTMENT OF EDUCATION

Dr. Tom W. Kimbrell
Commissioner

State Board
of Education

Dr. Naccaman Williams
Springdale
Chair

Jim Cooper
Melbourne
Vice Chair

Sherry Burrow
Jonesboro

Brenda Gullett
Fayetteville

Sam Ledbetter
Little Rock

Alice Mahony
El Dorado

Dr. Ben Mays
Clinton

Toyce Newton
Crossett

November 24, 2009

Ms. June Elliot
STAR Academy
925 East Dixon Road
Little Rock, AR 72206

Dear Applicant:

The Arkansas Department of Education (ADE) has completed the evaluation process of the applications for District Conversion Charter Schools as per 7.02 of the ADE Rules Governing Charter Schools. Enclosed is a copy of that evaluation for you.

In accordance with the Charter School rules, you are allowed to submit a written response to this evaluation. Written responses must be in the Charter School Office no later than 4:00 p.m., Monday, December 21, 2009.

Responses should be sent to the following address:

Dr. Mary Ann D. Brown
Charter School Office
Four Capital Mall, Room 105-C
Little Rock, AR 72201

Please feel-free to contact the Charter School Office to verify receipt of your written responses at (501) 683-5313.

Thank you,

Mary Ann D. Brown, Ed.D.
Charter School Program Director

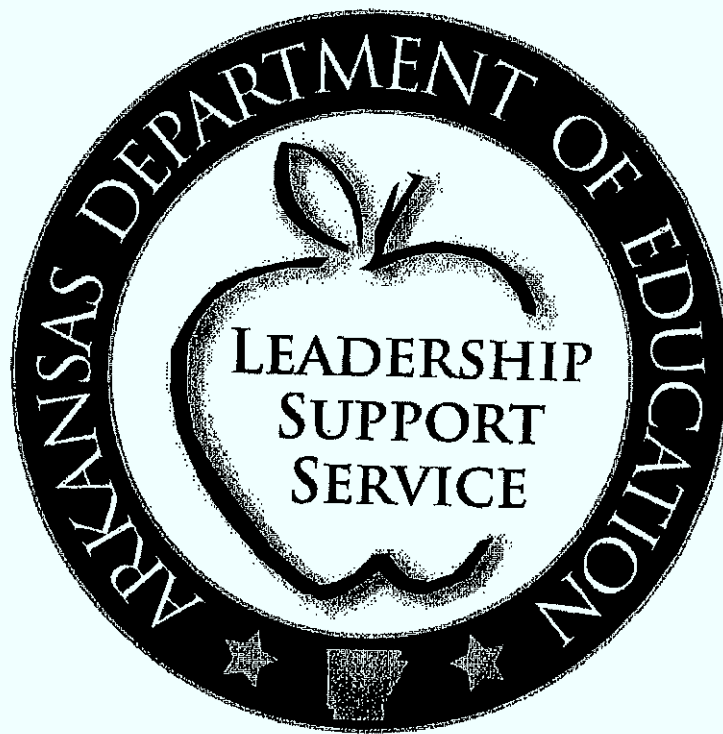
Enclosure: Public Charter School Application Evaluation Report

Four Capitol Mall
Little Rock, AR
72201-1019
(501) 682-4475
ArkansasEd.org

An Equal Opportunity
Employer

**2009-2010
Public Charter School
Application Evaluation Report**

STAR Academy



**Provided by:
Arkansas Department of Education
Charter School Office**

Arkansas Department of Education

Charter School Application Evaluation Instrument

The following instrument will be used to evaluate applications submitted to the Arkansas Department of Education ("ADE") for the establishment of new public charter schools. This instrument is only intended to provide clarity, transparency and consistency in the charter school application review process.

The ADE will use the following instrument only to evaluate the quality of a charter school application against the criteria stated herein. For each of the application requirements, the criteria define the characteristics and elements of a response that meet the standard for charter approval. The following definitions will guide the rating of each information requirement:

Meets the Standard:

The response reflects a thorough understanding of key issues and demonstrates capacity to open and operate a quality charter school. It addresses the topic with specific and accurate information that shows thorough preparation and presents a clear, realistic picture of how the school expects to operate.

Partially Meets the Standard:

The response addresses most of the criteria, but response lacks meaningful detail and requires important additional information.

Does Not Meet the Standard:

The response lacks meaningful detail, demonstrates lack of preparation, or otherwise raises substantial concerns about the applicant's understanding of the issue in concept and/or ability to meet the requirement in practice.

Arkansas Department of Education

District Conversion Public Charter School Application Evaluation

EVALUATION RUBRIC

Name of Proposed School: STAR Academy

Sponsoring School District: Pulaski County Special School District

Part 1: PRE-APPLICATION MATERIALS

The Arkansas Department of Education requires that all applicants submit a Letter of Intent, outlining a general description of the proposed charter school.

Evaluation Criteria:

A response that meets the standard will guarantee that:

- A Letter of Intent was filed with ADE on time and included all necessary information.

Does Not Meet the Standard	Partially Meets the Standard	Meets the Standard
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Strengths	Reference
Letter of Intent was submitted within the deadline.	
Concerns and Additional Questions	Reference

Part 2: REQUIRED INFORMATION

STANDARDS 1 OF APPLICATION: PUBLIC HEARING RESULTS

All proposed school design teams must conduct a public hearing before applying for an open enrollment charter school, to assess support for the school's establishment. Applicants are asked both to document the logistics of the hearing and to include a narrative of the hearing results.

Evaluation Criteria:

A response that meets the standard will present:

- A thorough description and evidence of public support exhibited at the hearing;
- Documentation of required notices published to garner public attention to the hearing.

Does Not Meet the Standard	Partially Meets the Standard	Meets the Standard
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Strengths	Reference
Response meets the standard criteria.	Pages are not numbered, Attachments A-G, Letters of Support
Concerns and Additional Questions	Reference

STANDARD 2 OF APPLICATION: MISSION STATEMENT

The Mission Statement section should indicate what the school intends to do, for whom and to what degree.

Evaluation Criteria:

A response that meets the standard will present:

- A mission statement that is meaningful, manageable and measurable.

Does Not Meet the Standard	Partially Meets the Standard	Meets the Standard
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Strengths	Reference
Concerns and Additional Questions	Reference
Mission statement is neither manageable nor measurable.	Pages are not numbered

STANDARD 3 OF APPLICATION: EDUCATIONAL NEED

The Educational Need section should indicate how the school intends to offer a viable educational option for students in Arkansas. Along with the mission statement, this section outlines the basic rationale for the new school.

Evaluation Criteria:

A response that meets the standard will present:

- A description of educational need that presents a clear option for students;
- A specific rationale for how the charter school will enhance or expand the educational options currently available to the school's target student population.

Does Not Meet the Standard	Partially Meets the Standard	Meets the Standard
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Strengths	Reference
Response meets the standard criteria.	Pages are not numbered
Concerns and Additional Questions	Reference

STANDARD 4 OF APPLICATION: EDUCATIONAL PROGRAM

The Educational Program section should describe the educational foundation of the school and the teaching and learning strategies that will be employed.

Evaluation Criteria:

A response that meets the standard will present:

- A clear description of the proposed educational program, including but not limited to the foundational educational philosophy and curricular and instructional strategies to be employed; and
- A clear organization of the school in terms of both length of school day and year that meets minimum state requirements.

Does Not Meet the Standard	Partially Meets the Standard	Meets the Standard
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Strengths	Reference
Concerns and Additional Questions	Reference
School schedules provided are for the current year not for the school year that the school will open.	Pages are not numbered, bell schedule, 2009-10 school year calendar

STANDARD 5 OF APPLICATION: ACADEMIC ACHIEVEMENT GOALS

The Academic Achievement Goals section should define the performance expectations for students and the school as whole.

Evaluation Criteria:

A response that meets the standard will present:

- Specific goals in:
 - Reading;
 - Reading Comprehension;
 - Mathematics; and
 - Mathematics Reasoning;
- Goals that clear, measurable and data-driven;
- Goals on improving student achievement; and
- Valid and reliable assessment tools for measuring each of the defined goals.

Does Not Meet the Standard	Partially Meets the Standard	Meets the Standard
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Strengths	Reference
Concerns and Additional Questions	Reference
The application does not address specific goals in reading, reading comprehension, mathematics, and mathematics reasoning.	Pages are not numbered

STANDARD 6 OF APPLICATION: CURRICULUM DEVELOPMENT AND ALIGNMENT

The Curriculum Development and Alignment section should define the process by which the design team developed (or chose) the curricular program of the school, and illustrate alignment with Arkansas Curriculum Frameworks.

Evaluation Criteria:

A response that meets the standard of a curricular development and alignment program will present:

- Evidence that the curriculum aligns with, or a sound and rationale plan and timeline for aligning the curriculum with, the Arkansas Department of Education's content standards, benchmarks and performance standards.

Does Not Meet the Standard	Partially Meets the Standard	Meets the Standard
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Strengths	Reference
Response meets the standard criteria.	Pages are not numbered
Concerns and Additional Questions	Reference
Please provide additional background information on the STAR program.	

STANDARD 7 OF APPLICATION: ENROLLMENT CRITERIA AND PROCEDURES

The Enrollment Criteria and Procedures section should describe how the school will attract and enroll its student body, including any criteria for admission and enrollment. Applicants must also provide assurances for a random lottery selection process.

Evaluation Criteria:

A response that meets the standard will present:

- A student recruitment plan that will provide equal opportunity for all parents and students to learn about and apply to the school;
- An enrollment and admissions process that is open, fair and in accordance with applicable law; and
- A process for, and a guarantee of, a random, anonymous lottery process should there be more student applications than can be accommodated under the terms of the charter.

Does Not Meet the Standard	Partially Meets the Standard	Meets the Standard
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Strengths		Reference
Concerns and Additional Questions		Reference
Please clarify the enrollment CAP for the school. Reference to home school enrollment may conflict with the district policy.		Pages are not numbered
Legal Comments		
<p>The applicant states that STAR Academy will be open to any ninth grade student who resides in the Pulaski County Special School District (PCSSD), but then sets forth a three (3)-tier priority system for enrollment. The priority system gives first priority for the eighty (80) available spaces to Jacksonville High School students; second priority to other PCSSD students, and third priority to home school students.</p> <p>Such enrollment limitation is not in keeping with the requirement of nondiscriminatory admission of students. All ninth-grade children within the Pulaski County Special School District must be given an equal opportunity to attend the charter school.</p> <p>Home school students are not public school students and are not allowed to enroll in public schools while they are home-schooled. The only potential exception to the above statement is found in Ark. Code Ann. § 6-47-406, and concerns distance learning courses.</p>		

STANDARD 8 OF APPLICATION: STAFFING PLAN

The Staffing Plan section should describe the job duties of the school director and other key personnel. This section should also describe the professional standards to which all employees will be held.

Evaluation Criteria:

A response that meets the standard will present:

- A job description for the school director and other key personnel, including but not limited to an operations director, board members, teachers, etc.;
- An outline of the professional qualifications required for administrators, teachers, counselors, etc; and
- A staffing plan that clearly outlines both the types and numbers of positions to be filled at the school and salary scales for such positions.

Does Not Meet the Standard	Partially Meets the Standard	Meets the Standard
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Strengths		Reference
Concerns and Additional Questions		Reference
Application does not address the professional qualifications required for any position. It does not provide a staffing plan that clearly outlines the types and numbers of positions or a job description for key personnel. The application did not include a proposed salary scale for the 2010-2011 school year, which would be the first year of operation for the charter school.		Pages are not numbered, Salary Schedules

STANDARD 9 OF APPLICATION: STUDENT SERVICES

The Student Services section should describe how the school will address services for its student body.

Evaluation Criteria:

A response that meets the standard will present:

- A guidance program that will serve all students;
- A health services program that will serve all students;
- A plan for a media center for use by all students;
- A transportation plan that will serve all eligible students;
- A food service plan that will serve all eligible students;
- Sound plans for educating special education students that reflect the full range of programs and services required to provide such students with a high quality education;
- An alternative education plan for eligible students, including those determined to be at-risk, or those that are bilingual or have limited English proficiency; and
- Plans for a gifted and talented program for eligible students.

Does Not Meet the Standard	Partially Meets the Standard	Meets the Standard
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Strengths		Reference
Response meets the standard criteria.		Pages are not numbered
Concerns and Additional Questions		Reference
Please clarify how student services are currently being met. Please clarify that the school will participate in the USDA NSLP, and that the child nutrition program will be administered at the district level, or provide a more detailed plan and budget if the district will not be administering the program.		

STANDARD 10 OF APPLICATION: ARKANSAS PUBLIC SCHOOL COMPUTER NETWORK ASSURANCES

The Arkansas Public School Computer Network (APSCN) Assurances section should provide documentation of the applicant's understanding of and participation in the required state educational data reporting system.

Evaluation Criteria:

A response that meets the standard will present:

- Assurance that the charter school will comply with all state statutory requirements regarding the APSCN educational data reporting system.

Does Not Meet the Standard	Partially Meets the Standard	Meets the Standard
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Strengths		Reference
Response meets the standard criteria.		Pages are not numbered
Concerns and Additional Questions		Reference

STANDARD 11 OF APPLICATION: FACILITIES

The Facilities section should provide an understanding of the school's anticipated facilities needs and how the school plans to meet those needs.

Evaluation Criteria:

A response that meets the standard will present:

- An informed understanding of the facility needs of the school over the term of its charter.
- A realistic plan for securing a facility that is appropriate and adequate for the school's program and targeted population.
- Evidence that the school understands the costs of securing and improving a facility and has access to the necessary resources to fund the facility plan.
- A sound plan for continued operation, maintenance and repair of the facility.

For schools that will be using district-owned facilities, a response that meets the standard will present:

- Documentation that the school district and school are in agreement over the use of the facility and its equipment.

For schools that will NOT be using district-owned facilities, a response that meets the standard will present:

- Documentation that the property owner and school are in agreement over the use of the facility and its equipment;
- A statement of the facilities' compliance with applicable codes; and
- A detailed outline of any relationships between the property owner and:
 - members of the local board of the public school district where the charter school will be located;
 - the employees of the public school district where the charter school will be located;
 - the sponsor of the charter school; and
 - employees, directors and/or administrators of the charter school.

Does Not Meet the Standard	Partially Meets the Standard	Meets the Standard
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Strengths	Reference
Response meets the standard criteria.	Pages are not numbered, Attachment G
Charter School Site Visit Report Provided by the Division of Public School Academic Facilities and Transportation – Please refer to attachment 1.	
Legal Comments	
The facility will have to be inspected by the Division of Public School Academic Facilities and Transportation prior to any State Board of Education action on the application, if such inspection has not already been performed. The facility must comply with all Requirements with the Americans with Disabilities Act and the Individuals with Disabilities Education Act, as well as complying with all applicable state and local health codes.	

STANDARD 12 OF APPLICATION: WAIVERS

The Waivers section should provide describe any waiver from local or state law for which the charter is seeking.

Evaluation Criteria:

A response that meets the standard will present:

- A persuasive explanation of any waiver requests; and
- A compelling description of how the school will address any waivers.

Does Not Meet the Standard	Partially Meets the Standard	Meets the Standard
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Strengths	Reference
Concerns and Additional Questions	Reference
Requesting a waiver for media services is in conflict with the response in "standard 9" indicating that the school will continue all student services, including media center.	Pages are not numbered
Legal Comments	
a.) Ark. Code Ann. §§ 6-15-1004, 6-17-401 and 6-17-902: <ul style="list-style-type: none">• The State Board may waive the teacher certification requirement. However, the Board may not waive the requirements that charter school teachers have a bachelor's degree and meet content knowledge requirements <u>if they teach core subjects</u>.• The ADE Rule Governing the Arkansas Comprehensive Testing, Assessment and Accountability Program, Sections 5.02.4 and 5.03.2, requires that standardized assessments be administered according to procedures established by the ADE. The ADE's procedures require that certified teachers administer the standardized assessments. Violations of such procedures are subject to sanctions by the State Board pursuant to Ark. Code Ann. § 6-15-438.• All teachers and school personnel must submit to criminal background and central registry checks.	

STANDARD 13 OF APPLICATION: DESEGREGATION ASSURANCES

The Desegregation Assurances section should describe the applicant's understanding of applicable statutory and regulatory obligations to create and maintain a unitary system of desegregated public schools.

Evaluation Criteria:

A response that meets the standard will present:

- Assurance that the charter school will comply with all applicable federal and state statutory and regulatory requirements regarding the creation and maintenance of desegregated public schools; and
- An outline of the potential impact of the proposed charter school on those desegregation efforts already in place in affected public school districts.

Does Not Meet the Standard	Partially Meets the Standard	Meets the Standard
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Strengths		Reference
Response meets the standard criteria.		Pages are not numbered
Concerns and Additional Questions		Reference

STANDARD 14 OF APPLICATION: PARENTAL INVOLVEMENT

The Parental Involvement section should describe how parents or guardians of enrolled students will make a positive impact on the school and its educational program.

Evaluation Criteria:

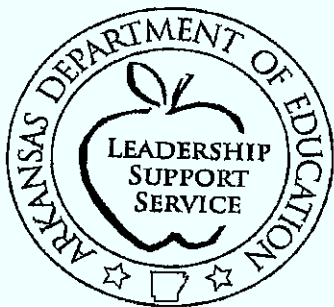
A response that meets the standard will present:

- A plan for involving parents and guardians in the school's education programs.

Does Not Meet the Standard	Partially Meets the Standard	Meets the Standard
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Strengths		Reference
Response meets the standard criteria.		Pages are not numbered
Concerns and Additional Questions		Reference

ADDITIONAL COMMENTS:

BUDGET: The budget identifies personnel positions by type and number in the budget; however this information is not included in Standard 8. The budget included revenue from Charter School Startup in the amount of \$450,000 that is not guaranteed. This is a grant for which the applicant can apply only after the charter is approved. The grant application must undergo a committee review prior to being awarded. The budget contains two categories under expenditures. Those are for Administration in the amount of \$129,194 and Regular Classroom Instruction in the amount of \$680,533. These total \$809,727. However, the amount listed on the last page of the budget for Total Expenditures is listed as \$1,563,702. By reducing the amount of revenue by \$450,000 from unguaranteed grant funds, the remaining revenue from State Foundation Funding is only \$303,975, which is insufficient to fund the projected expenditures of \$809,727.



ARKANSAS DEPARTMENT OF EDUCATION

CHARTER SCHOOL OPERATIONS AND MAINTENANCE COMPLIANCE REPORT

LEA/Report # _____ School Name: STAR Academy, PCSSD Date 11/18/2009

Address 201 Sharp St., Jacksonville, AR Phone _____

Director _____ E-Mail _____

School Contact (Name/Position) Gary Beck, Facilities Director Phone _____

Facility is: _____ Proposed ☒ Existing _____ New Construction

Required Inspections and Staff Training

1. Maintenance Procedures Manual _____
2. Training Manual _____
3. Fire Extinguishers Serviced Annually _____
4. Fire Extinguishers Inspected Monthly _____
5. Fire and Safety Inspection Performed Semi-Annually by Fire Marshall _____
6. Fire Alarm System tested/inspected annually _____
7. Fire Drills Performed Monthly _____
8. Natural Gas Distribution System Inspected Annually _____
9. RPZ Valves Inspected Annually _____
10. Asbestos Surveillance up to Date _____
11. MSDS Sheets up to Date and Accessible _____
12. Hot Water Boiler/Heater _____

Action Items (Follow-Up Required)

1. _____
2. _____
3. _____
4. _____

Specific Building Information

Form Building Number and LEA # Jacksonville Middle School (Girls) 2. Grade Configuration 8-9

3. Facility Built Date (including additions): 1956 4. Walk-thru of facility conducted: YES

5. Items Checked:

<u>X</u> HVAC System	<u> </u> Roofs
<u>X</u> Exit Lights	<u>X</u> Plumbing/ ADA Compliance
<u>X</u> Hot Water Boilers & Heaters	<u>X</u> Electrical System
<u> </u> Doors/Windows	<u>X</u> Interior / Exterior Lighting
<u>X</u> Emergency Lighting	<u>X</u> Floor Coverings
<u> </u> Grounds Maintenance	<u>X</u> Fire Extinguishers
<u>X</u> Kitchen Equipment	<u>X</u> Fire Alarm
<u>N/A</u> Playground Equip.	<u>N/A</u> Stairwells
<u>N/A</u> Fire Sprinkler Systems	<u> </u> Athletic Field Maintenance
<u> </u> Elevators & Wheelchair Lifts	<u>X</u> Kitchen Hood Vent Suppression System
<u> </u> Interior / Exterior Finishes	<u> </u> Masonry & Concrete Building Exteriors
<u> </u> Sidewalks, Driveways, Parking Areas, & Pave	
<u>X</u> Marked Parking Lots, ADA Compliance, Fire Lanes, Bus / Car Unloading Areas	
<u>X</u> Food Service	Full Service Cafeteria

6. Building Comments: Very old building, but reasonably well maintained.

7. Custodial (include equipment and storage):

<u>X</u> Storage Closets	<u>X</u> Restrooms
<u>X</u> Hallways/Classrooms/Offices	<u>N/A</u> Gymnasiums/Locker Rooms

Custodial Comments: Reasonably clean with no odors.

Summary of the General Condition of the Facility: Good.

Action Items (Follow-up required):

1. District is to provide a copy of the latest boiler inspection certificate.

2. _____

3. _____

4. _____

5. _____

(Add additional pages, if necessary)

All observations are external. No performance tests were conducted. Any observations noted were reported to District personnel.

D.P.S.A.F.T. Representative: Terry Granderson Position: Senior Project Administrator

School Representative: _____ Position: _____

Comments _____

Distribution: Charter School Office DPSAFT Project File

Application Cycle 2010

Response to Evaluation

STAR Academy



Pulaski County Special School District

Office of the Superintendent

Rob McGill, Acting Superintendent
Linda G. Paladino, Executive Assistant

December 11, 2009

Dr. Mary Ann D. Brown
Charter School Program Director
Arkansas Department of Education
Four Capitol Mall
Little Rock, AR 72201

Dear Dr. Brown,

On behalf of Pulaski County School District and the proposed Star and Harris charter schools, thank you for your evaluations. Your insight and evaluation of the applications is appreciated.

Attached you will find the responses to the questions and comments. Should you have further questions, please do not hesitate to contact us. We appreciate your thoroughness.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Deborah", is written over the typed name.

Deborah Y. McAfee, Ed D
Director of Grants Administration

RECEIVED
DEC 14 2009

CHARTER SCHOOL OFFICE

Star Academy Conversion Charter School Response to Charter Evaluation

Part 1: Pre-Application Materials-Meets the Standard

Part 2: Standard 1 of Application: Public Hearing Results-Meets the Standards

Standard 2 of Application: Mission Statement Revised

Star Academy will provide an intensive, individualized academic program for students with multiple learning differences, with a commitment to helping them achieve their full potential and lead gratifying and productive lives.

We fulfill our mission by:

- *Offering a full spectrum of specialists, curricula, remediation and the arts, using multi-sensory methodologies, hands-on-learning techniques, small academic class sizes, and numerous one-on-one and small group sessions, all within an academic program based on the Arkansas Department of Education content standards.
- *Assisting students in becoming proficient in reading, writing and arithmetic with programs specifically designed for students with learning differences, and using the the most effective assistive technologies.
- *Developing our students' executive abilities.
- *Supporting students in the development of meaningful friendships and relationships and helping them become effective communicators by strengthening their self and social awareness, thinking communication and interaction skills.
- *Extending our reach by serving as a training resource and by partnering with other organizations to host educational events and seminars for parents, community, professionals and the public.

Standard 3 of Application: Educational Need-Meets the Standard

Standard 4 of Application: Educational Program

Star Academy will follow the school schedule included in the original application. This is the school schedule currently being followed by the sampling of students. It appears to be quite successful.

Standard 5 of Application: Academic Achievement Goals Revised

Diagnostic and prescriptive lessons are provided in math and language arts (reading). Lessons provide an immediate diagnosis and determination of a student's current level of understanding in core content mathematics and language arts. Lessons are then prescribed for each individual's needs. These individualized lessons are completed prior to working in cooperative learning pairs or small groups, thus ensuring that students are all at equivalent levels of knowledge. The *specific* goals of each individual student will be met through an immediate diagnosis of their reading and math knowledge and comprehension. Because this is an individualized teaching strategy, no blanket response is applicable. However at mastery in each module, the students will experience these components of learning; learner preparation, pretest, reading time, research, challenge and application, questions/problems, test review, cooperative learning exploration, posttest, enrichment, culminating activities and discovery days. All students will meet adequate yearly progress as defined by the Arkansas Department of Education and No Child Left Behind legislation.

Standard 6 of Application: Curriculum Development

Background information on Star: The Star Academy Program for acceleration of at-risk students is a school-within-a-school concept that helps overage students to advance two grades in one year. In 2009 it was designated as a "Model Program" by the National Dropout Prevention Center. Their purpose and mission is to save lives one student at a time. Their goal is to re-engage students and get them back on track for graduation. In its first four years it has been implemented within 36 states. From 2005 to 2008 82% of students who started the program successfully completed it. The Star Academy delivers two years of curriculum in one school year and promotes individual student responsibility for learning and behavior. The development of the program was developed by Pitsco Education.

Standard 7 of Application: Enrollment Criteria and Procedures

Enrollment in Star Academy, located within Jacksonville High School, will be limited to eighty (80) available spaces. All qualifying ninth-grade students within the Pulaski County Special School District will be given an equal opportunity to attend the charter school. A previously home schooled student who enrolls within the district will be eligible to attend.

Standard 8 of Application: Staffing Plan Revised

As Pulaski County School District ratifies its 2009-2010 salary schedules, a 2010-2011 schedule has not been solidified. The classroom teacher job description may be found on the next page. Each classroom teacher must have one or more of the following certificate requirements to qualify for a position: standard 5 year, provisional, provisional-non renewable, provisional one year, reciprocity, standard 10 year, provisional secondary, standard 6 year, non-traditional, 1 year non-renewable, 1 year renewable, 6 month letter, initial three year or lifetime.

PULASKI COUNTY SPECIAL SCHOOL DISTRICT

CERTIFIED JOB CLASSIFICATION

POSITION TITLE: **CLASSROOM TEACHER**

QUALIFICATIONS: **Valid Arkansas teaching certificate**

REPORTS TO: **Building Principal**

JOB GOALS: **Implement the educational program for students.**

PERFORMANCE RESPONSIBILITIES:

1. Diagnose the achievement level of each student.
2. Plan, prescribe and direct the learning activities of students.
3. Motivate students to learn.
4. Create and maintain an atmosphere conducive to learning in both appearance of instructional station and activities therein.
5. Evaluate progress of students and inform students thereof on a continuous basis.
6. Assist with the counseling of students for their academic, personal, social and career improvement.
7. Implement school or district curricular goals.
8. Ensure that substitutes will have all information necessary for effective instruction.
9. Prepare and follow effective lesson plans.
10. Assist in the development of school and district curriculums.
11. Assist in assessing school and district needs for instructional materials and equipment.
12. Prepare for principal, lists of material and equipment needs for instructional assignment.
13. Inform students of school or district regulations that are pertinent to them.
14. Confer with parents on students progress and attitudes.
15. Supervise students in corridors, in rest rooms, in lunchrooms, on school grounds, etc. in accordance with Board policy. Such supervision that is on an assigned basis should be equitably distributed.
16. Assist in the enforcement of school regulations at all times.
17. Participate in all prescribed inservice programs.
18. Maintain, and make reports on, necessary records for pupil accounting, pupil progress, material and equipment inventories, collection of money, etc.
19. Check attendance and report absences and tardies.
20. Sponsor clubs and activities on an equitable basis.
21. Take responsibility for issued materials and equipment.
22. Know Board of Education policies, Desegregation Plan, district and school guidelines and regulations and adhere to same.
23. Supervise early and late bus students on an equitable assigned basis.
24. Attend faculty meetings.
25. Participate in professional activities that are related to subject area assignment.
26. Keep informed of latest curriculum developments.
27. Other duties as assigned.

TERMS OF EMPLOYMENT:

Salary Range: **Teacher Salary Schedule. (Placement depends upon education and experience.)**

Length of Contract: **192 days per contract year**

One administrator and four certified staff will comprise Star Academy.

Standard 9 of Application: Student Services

The goal of Star Academy is drop-out prevention. As students become further and further behind in the educational process disruptive behaviors often manifest. Currently remediation courses are held on campus, but not to the extreme that these targeted students require. Pulaski School District does offer The Learning Academy which is an alternative school for grades seven through twelve.

Star Academy will participate in the USDA, National School Lunch Program with the child nutrition program being administered at the district level.

Standard 10 of Application: Arkansas Public School Computer Network Assurances

Standard 11 of Application: Facilities

The facility has been inspected by the Division of Public School Academic Facilities and Transportation.

Standard 12 of Application: Waivers-Revised

Star Academy will be a school-within-a-school at Jacksonville High School. Star Academy requested a waiver for media services as it has full access to the Jacksonville High Library.

All educators within Star Academy will hold a minimum of a bachelor's degree. This waiver was only included as a precaution if core subject teachers were not available. This would allow the Academy to perhaps hire a former rocket scientist or someone equally educated, however did not hold a teacher endorsement.

All teachers and school personnel will submit to criminal background and central registry checks as required by law.

Standard 13 of Application: Desegregation Assurances

Standard 14 of Application: Parental Involvement

Additional Comments:

The budget for Star Academy is \$809,727. State Foundation Funding will account for \$303,975, and Pulaski County Special School District projects expenditures of \$505,752.

Please accept my sincere regrets for the pages not being numbered. That was a complete oversight on my part. I truly apologize!



ARKANSAS DEPARTMENT OF EDUCATION

Dr. Tom W. Kimbrell
Commissioner

February 25, 2010

**State Board
of Education**

Dr. Naccaman Williams
*Springdale
Chair*

Jim Cooper
*Melbourne
Vice Chair*

Sherry Burrow
Jonesboro

Brenda Gullett
Fayetteville

Sam Ledbetter
Little Rock

Alice Mahony
El Dorado

Dr. Ben Mays
Clinton

Toyce Newton
Crossett

Mr. Rob McGill
Acting Superintendent
925 East Dixon Road
Little Rock, AR 72206

Re: Notice of State Board Meeting

Mr. McGill,

This letter is to inform you that your request for a hearing regarding Harris Science and Health Elementary will be considered at the State Board of Education's meeting on March 8, 2010. This meeting is scheduled to begin at 9:00 a.m., and will be held in the Auditorium of the Arch Ford Education Building at Four Capitol Mall in Little Rock, Arkansas.

Please ensure that you have all necessary personnel in attendance, as well as all documentation in order to address any questions from the Arkansas State Board of Education concerning your request.

Please feel free to contact the Charter Schools Office at (501)683-5313, should you have any questions.

Sincerely,

Mary Ann Duncan, Ed.D.,
Charter Schools, Program Coordinator

MAD/jf

Four Capitol Mall
Little Rock, AR
72201-1019
(501) 682-4475
ArkansasEd.org

c/c: Dr. Tom Kimbrell, Commissioner
Dr. Diana Julian, Deputy Commissioner
Jeremy Lasiter, General Counsel



Pulaski County Special School District

Office of the Superintendent

Rob McGill, Acting Superintendent
Linda G. Paladino, Executive Assistant

January 21, 2010

Dr. Tom Kimbrell, Commissioner
Arkansas Department of Education
#4 Capitol Mall
Little Rock, Arkansas 72201

Dr. Kimbrell,

Pulaski County Special School District respectfully requests to address the State Board of Education at its March, 2010 meeting in regards to the conversion charter school budget for Harris Science and Health Elementary School, housed in North Little Rock.

Per the State Board's request, detailed budget revisions will immediately be made and forwarded to the Department of Education's Charter School office, attention Dr. Mary Ann Brown.

Thank you for your consideration to this request.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Rob McGill'.

Mr. Rob McGill
Acting Superintendent

cc: Dr. Mary Ann Brown

RECEIVED
JAN 22 2010

CHARTER SCHOOL OFFICE



Pulaski County Special School District

Office of the Superintendent

Rob McGill, Acting Superintendent
Linda G. Paladino, Executive Assistant

February 22, 2010

Dr. Mary Ann Duncan
Arkansas Department of Education
Charter School Office
#4 Capitol Mall, Room 105-C
Little Rock, AR 72201

Dear Dr. Duncan,

Pulaski County Special School District extends their gratitude for your shared insight and clarification during the February 19, 2010 meeting. The meeting held with staff regarding Harris Science and Health Elementary Charter School was extremely beneficial.

Attached you will find Points of Clarification for Harris Science and Health Charter School's application. Pulaski County Special School District hopes that this attachment will assist in clarifying the application and will assist the Arkansas Board of Education in considering the charter application for Harris Science and Health Charter School.

Deputy Superintendent June Elliott and I will not be present for the Monday, March 8th State Board meeting due to a Desegregation Court conflict. Ms. Elliott and I both thank you in advance for your consideration to this application.

Sincerely,

A handwritten signature in cursive script, appearing to read "Rob McGill".

Mr. Rob McGill
Acting Superintendent

RECEIVED
FEB 22 2010

CHARTER SCHOOL OFFICE

POINTS OF CLARIFICATION:

HARRIS SCIENCE AND HEALTH ELEMENTARY

CONVERSION CHARTER APPLICATION

Representatives of Pulaski County Special School District were pleased to visit with staff of the Arkansas Department of Education on three separate occasions regarding refinement and clarification of the Harris Science and Health Elementary Conversion School's application. As a result of those meetings these points of clarification are being submitted in an effort to bring clarity to the charter application.

CURRICULUM CLARIFICATION REGARDING STUDENT ACHIEVEMENT

(Note page 2 of Harris Science and Health Elementary Conversion Charter *revisions*.)

Harris Science and Health Elementary School is serving students that the regular textbook, paper and pencil curriculum is not reaching. As delineated within the Arkansas Department of Education's Rules and Regulations Governing Public Charter Schools, "A public school application for a conversion public charter school may include, but shall not be limited to the following purposes: adopting research-based school or instructional designs, or both, that focuses on improving student and school performance (6.03.01); Addressing school improvement status..(beginning with Ark. Code. ANN 6-15-207©(8)). Thus the need and impetus for the conversion charter school. Harris Elementary is currently serving students with 70% of students residing with, or at some point in the school year will reside with, their grandparents. The school is serving a 92% free and reduced rate population. The staff and administration understand that in this fast-paced world of texting, DVD's, i-phones and flips, students are relating to a hands-on approach to learning along with a strong level of inquiry.

The Harris Science and Health Elementary Conversion Charter application focuses specifically on the above mentioned laws. The thrust and request for conversion is to adopt and address the hands-on learning approach through the use of the K12 curriculum currently not on the textbook adoption list within the State of Arkansas. Through this Arkansas Frameworks aligned approach to learning a greater, fast-paced rate of learning will occur. K12 replicates and mirrors the standards presented within the Arkansas Frameworks representing a core body of knowledge and skills correlating to the frameworks. Harris Science and Health Elementary School staff has reviewed the side-by-side charts that have been constructed to determine the extent to which the K12 instructional programs cover the concepts and skills addressed by the Arkansas Curriculum Frameworks for Math and Science. Both Arkansas and K12 expect students to develop number sense and facility with operations, use estimation strategies, understand the concept of unit and make measurements known, know about geometric shapes and their properties, develop their algebraic reasoning skills and acquire foundational skills in data and probability. In all

mathematics learning areas, the K12 expectations meet, and in some cases exceed, those outlined by the Arkansas expectations.

The K12 Science program is well aligned to the Arkansas Science Frameworks. Both Arkansas and K12 address similar investigation skills, understanding the structure and behavior of matter, understanding motion and forces, the structure, characteristics and needs of living things, the diversity of living things, the composition of the Earth and the forces that shape it, astronomy and space and how living things and their environments interact. In all Science learning areas, the K12 expectations meet, and in some cases exceed, those outlined by the Arkansas Curriculum Frameworks.

Harris will adopt the Mathematics and Science K12 curriculum to immerse students in a hands-on approach to learning. Each classroom *will have* a certified teacher, along with designated classroom aides. The K12 Math and Science programs allow students to work with the teacher to accomplish skills at *their* pace. Students will not have to “follow-along” with the rate of progress exemplified within a regular classroom. Through the incorporation of the Math and Science K12 curriculum, practice and review are attained prior to introduction of new Math and Science concepts. Teacher supervision and classroom instruction will bring a rise in test scores, student performance and knowledge, as well as growth in student self-esteem.

Benchmarks for Mathematics, Spring-2009, Harris Science and Health Elementary

	Below Basic	Basic	Proficient	Advanced
Third Grade	13%	34%	29%	24%
Fourth Grade	26%	26%	37%	11%
Fifth Grade	2%	16%	23%	19%

Benchmarks for Science, Grade 5, Spring-2009, Harris Science and Health Elementary

	Below Basic	Basic	Proficient	Advanced
Fifth Grade	55%	35%	10%	0%

The representative scores of Harris Science and Health Elementary School present the need of a different approach to teaching, an approach that must be directed away from paper and pencil.

The goal of Harris Science and Health Elementary Conversion Charter School is to raise Math and Science test scores by a minimum of 15% each year. Through assessments, pre and post testing, K12 “built-in” assessments, classroom dialogue, direct classroom instruction, parent involvement, classroom incentives and guided instruction advancements will be made.

In order for the advancements at Harris Science and Health Elementary School to be made, a conversion application inclusive of waivers is necessary. Each waiver requested directly impacts instruction.

REQUESTED WAIVERS OF HARRIS

A seamless, transparent continuity of instruction for all students is capable of being maintained through the requested waivers and K12 instructional curriculum to be implemented. The Science and Math “style” of instruction will no longer allow passive learning. The intrinsic nature of students challenging and competing against themselves as they are exposed to an enriched, hands-on curriculum is exciting and new. As students become teacher instructed, yet self-directed and self-motivated through the inquiry method of learning, diligent habits and optimistic attitudes will develop, transferring into the student’s home and community. A more varied and interesting environment means fewer problems and more learning.

Scientific evidence now supports the old idea of a “sound mind in a sound body.” Students show a distinct relationship between academic achievement and health and physical fitness. In particular, recent research has determined that a healthy lifestyle with physical activity facilitates cognitive development, thus the concept of a Science and Health Conversion Charter application. Through the incorporation of a strong Science and Health, physical and mentally challenging curriculum, grade level equivalency scores are expected to improve by 1.4 years within the first year.

The waivers being requested are research-based requests in regards to a K12 curriculum school.

6-15-1004 Qualified teachers in every public classroom. In respects to Science and Health, the school requests flexibility in employing instructors who have professional expertise in these two specific subjects, regardless of licensure status.

6-16-102 School Day. At the current time Harris is requesting this option as a means to remain open and flexible regarding school offerings and student achievements. As a charter school option this waiver is available.

6-16-401 Teacher license requirement. Although each classroom within Harris Science and Health Conversion Charter will employ a certified teacher, circumstances may facilitate the need to utilize contract services from personnel to instruct specialized topics for a few hours daily or short periods of time; therefore, full compliance with this statute would be restrictive.

6-17-902 Definition of a teacher. The conversion application of Harris Science and Health facilitates the need to utilize contracted services for specialized instructional topics specifically in regards to Science and Health; therefore full compliance with this statute would be restrictive.

6-17-1501 through 6-17-1705 Public School Fair Hearing Act. In order to recruit and maintain the most highly qualified instructors to teach such a diverse student population a request for this waiver is requested.

Standard Waivers Requested.

Standard Class Size and Teaching. Due to program design, Harris Science and Health Elementary Conversion Charter School requests that this standard be waived. Harris strives to keep the traditional educational setting classroom to a 22-1 ratio, but in the non-traditional educational setting, the required ratio could possibly not allow the flexibility needed.

Support Services/Media Services. Harris Elementary is requesting this waiver regarding available support services and media services based on internet sources available within the school through on-line encyclopedias, Wikipedia and internet sources, along with the availability of local libraries.

RESCINION OF WAIVER REQUEST. After further counsel from the State Department of Education Harris is rescinding the request of a Records and Report Waiver.

BUDGET

Attached is a corrected budget representing a per pupil State Foundation Funding of \$6,023. Pending approval of the Arkansas Department of Education State Board, Pulaski County Special School District anticipates applying for the federal charter startup implementation grant.

Public Charter School Application
Budget Worksheet/Template

Line #	<u>Revenues</u>	<u>Amount</u>	<u>Total</u>
1	State Public Charter School Aid:		
2	No. of Students 191 x <u>\$6,023</u> State Funding Foundation		
3			
4	Total State Charter School Aid	<u>\$1,150,393</u>	<u>\$1,150,393</u>
5			
6	Other Sources of Revenues:		
7	Private Donations of Gifts	<u> </u>	
8	Federal Grants (List the Amounts)	<u> </u>	
9	Special Grants (List the Amounts)	<u>\$48,000</u>	
10	Other (<i>Charter Startup</i>)	<u> </u>	
11	NLSA	<u>\$197,070</u>	
12			
13	Total Other Sources of Revenues		<u>\$245,070</u>
14			
15	TOTAL REVENUES		<u>\$1,395,463</u>

16			
17	<u>Expenditures</u>	<u>Amount</u>	<u>Total</u>
18			
19	Administration:		
20	Salaries: (No. of Positions 1)	<u>\$85,743</u>	
21	Fringe Benefits	<u>\$27,438</u>	
22	Purchased Services	<u> </u>	
23	Supplies and Materials	<u>\$5,000</u>	
24	Equipment	<u>\$2,937</u>	
25	Other (<i>Describe</i>)	<u> </u>	
26			<u>\$121,118</u>

27	Regular Classroom Instruction		
28	Salaries: (<i>No. of Positions 12</i>)	<u>\$396,330</u>	
29	Fringe Benefits	<u>\$126,825</u>	
30	Purchased Services	<u> </u>	
31	Supplies and Materials	<u>\$86,000</u>	
32	Equipment	<u>\$5,500</u>	
33	Other (<i>Describe</i>)	<u> </u>	<u>\$614,655</u>

34 Budget Continued

35	Special Education		
36	Salaries: (No. of Positions 1.5)	<u>\$50,253</u>	
37	Fringe Benefits	<u>\$16,081</u>	
38	Purchased Services	<u> </u>	
39	Supplies and Materials	<u>\$6,822</u>	
40	Equipment	<u>\$3,200</u>	<u>\$76,356</u>
41	Other (<i>Describe</i>)	<u> </u>	
42			
43	Gifted and Talented Program:		
44	Salaries: (No. of Positions .5)	<u>\$72,339</u>	
45	Fringe Benefits	<u>\$23,148</u>	
46	Purchased Services	<u> </u>	
47	Supplies and Materials	<u>\$3,800</u>	
48	Equipment	<u> </u>	
49	Other (<i>Describe</i>)	<u> </u>	<u>\$99,286</u>
50			
51	Alternative Education Program		
52	Salaries: (No. of Positions 1)	<u>\$74,871</u>	
53	Fringe Benefits	<u>\$23,958</u>	
54	Purchased Services	<u> </u>	
55	Supplies and Materials	<u>\$3,200</u>	
56	Equipment	<u> </u>	
57	Other (<i>Describe</i>)	<u> </u>	<u>\$102,029</u>
58			
59	Guidance Services		
60	Salaries: (No. of Positions .60)	<u>\$29,544</u>	
61	Fringe Benefits	<u>\$9,454</u>	
62	Purchased Services	<u> </u>	
63	Supplies and Materials	<u>\$5,800</u>	
64	Equipment	<u> </u>	
65	Other (<i>Describe</i>)	<u> </u>	<u>\$44,798</u>
66			
67	Health Services		
68	Salaries: (No. of Positions .40)	<u>\$33,486</u>	
69	Fringe Benefits	<u>\$10,715</u>	
70	Purchased Services	<u> </u>	
71	Supplies and Materials	<u>\$1,500</u>	
72	Equipment	<u> </u>	
73	Other (<i>Describe</i>)	<u> </u>	<u>\$45,701</u>

74

Budget Continued

75 Media Services

76	Salaries: (No. of Positions .40)	<u>\$19,368</u>	
77	Fringe Benefits	<u>\$6,197</u>	
78	Purchased Services		
79	Supplies and Materials	<u>\$12,600</u>	
80	Equipment	<u>\$6,822</u>	
81	Other (Describe)		<u>\$44,987</u>
82			

83 Fiscal Services

84	Salaries: (No. of Positions ____)		
85	Fringe Benefits		
86	Purchased Services		
87	Supplies and Materials		
88	Equipment		
89	Other (Describe)		
90			

91 Maintenance and Operation

92	Salaries: (No. of Positions 1)	<u>\$51,202</u>	
93	Fringe Benefits	<u>\$16,385</u>	
94	Purchased Services		
95	Supplies and Materials	<u>\$3,000</u>	
96	Equipment		
97	Other (Describe)		<u>\$70,587</u>
98			
99			

100 Pupil Transportation

101	Salaries: (No. of Positions 4)	<u>\$43,602</u>	
102	Fringe Benefits	<u>\$13,951</u>	
103	Purchased Services		
104	Supplies and Materials		
105	Equipment		
106	Other (Describe)		<u>\$57,553</u>
107			

108 Food Services

109	Salaries: (No. of Positions 6)	<u>\$72,069</u>	
110	Fringe Benefits	<u>\$21,474</u>	
111	Purchased Services		
112	Supplies and Materials	<u>\$6,000</u>	
113	Equipment		
114	Other (Describe)		<u>\$99,543</u>
115			

Budget Continued

116	Data Processing		
117	Salaries: (No. of Positions ____)	_____	
118	Fringe Benefits	_____	
119	Purchased Services	_____	
120	Supplies and Materials	_____	
121	Equipment	_____	
122	Other (Describe)	_____	_____
123			
124	Substitute Personnel		
125	Salaries: (No. of Positions 290 @ 65)	<u>\$18,850</u>	
126	Fringe Benefits	_____	<u>\$18,850</u>
127			
128	If Applicable: Facilities		
	Lease/Purchase (contract for one total		
129	year including facility upgrades:	_____	
130	Please list upgrades	_____	
131			
	If Applicable: Utilities (contract for one total		
132	year including facility upgrades)	_____	
	If Applicable: Insurance (contract for one		
133	total year including facility upgrades):	_____	
134	If Applicable: Property Insurance	_____	
135	If Applicable: Content Insurance	_____	_____
136			
137	Debt Expenditures	_____	_____
138	Other Expenditures:	_____	_____
139	(Describe)	_____	_____
140			
141	TOTAL EXPENDITURES		<u>\$1,395,463</u>

**Conversion Charter Renewal Application
Harris Academy of Health and Science
Legal Comments-REVISED**

1.) Waivers:

a. Ark. Code Ann. §§ 6-15-1004, 6-17-401 and 6-17-902:

- The State Board may waive the teacher certification requirement. However, the Board may not waive the requirements that charter school teachers have a bachelor's degree and meet content knowledge requirements if they teach core subjects.
- The ADE Rule Governing the Arkansas Comprehensive Testing, Assessment and Accountability Program, Sections 5.02.4 and 5.03.2, requires that standardized assessments be administered according to procedures established by the ADE. The ADE's procedures require that certified teachers administer the standardized assessments. Violations of such procedures are subject to sanctions by the State Board pursuant to Ark. Code Ann. § 6-15-438.
- All teachers and school personnel must submit to criminal background and central registry checks.

b. Ark. Code Ann. § 6-16-102 ("Length of school day")(contained on page 3 of "Points of Clarification" document):

The applicant is requesting this waiver "...as an option to remain open and flexible regarding school offerings and student achievements".

The Board may waive this requirement, subject to the following condition: The amount of instructional time may be lengthened beyond six (6) hours per day, but may not be decreased to less than six (6) hours per day.

4.) p. 18, Application: "The facilities comply with all requirements for accessibility in accordance with the ADA and IDEA. If students enroll with exceptional needs beyond the current modification, the Pulaski County Special School District is committed to making the modifications needed to comply with ADA and IDEA."

The facilities will have to be inspected by the Division of Public School Academic Facilities and Transportation prior to any State Board of Education action on the application.

The facilities must comply with all requirements with the Americans with Disabilities Act and the Individuals with Disabilities Education Act, as well as complying with all applicable state and local health and safety codes.

Application Cycle 2010

Letter of Intent

Harris Science and Health Elementary Charter



RECEIVED
AUG 13 2009

Pulaski County Special School District

Office of the Superintendent

Rob McGill, Acting Superintendent
Linda G. Paladino, Executive Assistant

CHARTER SCHOOL OFFICE

July 29, 2009

Dr. Mary Ann Brown, Unit Leader
Public Charter Schools
Arkansas Department of Education
#4 Capitol Mall-Room 105-C
Little Rock, Arkansas 72201

Dr. Brown:

Pulaski County Special School District looks forward to submitting a Charter School grant application during the 2009-2010 school year that will target Harris Elementary School. The grant's contact person for Harris Elementary conversion charter school will be Deputy Superintendent for Learning Services, located at 925 East Dixon Road, Little Rock, AR 72206. You may reach Mrs. Elliott at the PCSSD's Central Office 501-490-6280, 501-490-0254 fax or jelliott@pcssd.org, email.

The tentative name of the charter school will be Harris Academy of Science and Technology. The location of the proposed charter school is 4424 Highway 161 North, North Little Rock, AR 72117. Students in grades kindergarten through fifth will be served.

The emphasis of Harris Academy of Science and Technology is to establish a school for students who are currently unchallenged by the regular school curriculum, therefore needing a hands-on approach to learning. This conversion charter school will be an alternative to books and state adopted curriculum allowing students to experience success within the classroom and on required state testing. Students will experience personal success! All students will find classroom learning and reinforcement through a personalized approach to instruction.

PCSSD looks forward to working with you in the days ahead. Exciting ideas and concepts impacting the education of so many students are at hand. PCSSD looks forward to expounding upon the charter school concept with your staff and the Arkansas State Board of Education.

Sincerely,

Mr. Rob McGill
Acting Superintendent

Application Cycle 2010

Application

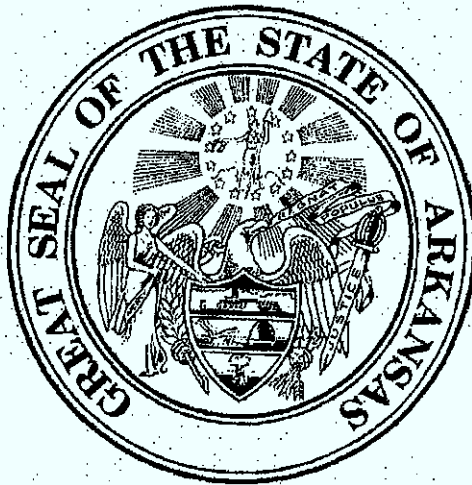
Harris Science and Health Elementary Charter



ARKANSAS DEPARTMENT OF EDUCATION

District Conversion Public Charter School New Application

Deadline for Submission: October 31, 2009



Charter School: Harris Academy of Health and Science

Date Submitted: September 22, 2009

Date Approved: _____

Arkansas Department of Education
Public Charter School Office
Four Capitol Mall, Room 105-C
Little Rock, AR 72201
501.683.5313

**STATE BOARD OF EDUCATION
ARKANSAS DEPARTMENT OF EDUCATION
APPLICATION FOR A CONVERSION PUBLIC CHARTER SCHOOL**

A. GENERAL INFORMATION (Please type.)

Name of Proposed Charter School: Harris Science and Health Elementary Charter

Grade Level(s) for the School: Kg. - 5 **Proposed Enrollment:** 500

Name of School District: Pulaski County Special School District

Name of Contact Person: Ms. June Elliott, Deputy Superintendent

Address (no P.O. Box please): **City:** 925 East Dixon Rd. **City:** Little Rock **ZIP:** 72206

Daytime Phone Number: (501) 490-2000 **FAX:** (501) 490-0254

E-mail: jelliott@pcssd.org

Charter Site Address: 4424 Highway 161 North

City: North Little Rock **ZIP Code:** 72217

Date of Proposed Opening: July 2010

Name of Superintendent: Mr. Rob McGill, Acting Superintendent

Address: 925 East Dixon Road

City: Little Rock **Zip Code:** 72206

Phone Number: 501-490-6204 **FAX:** (501)-490-0483

E-mail: rmcgill@pcssd.org

B. GENERAL DESCRIPTIONS

In succinct terms describe the proposed school including grade levels offered, student populations served, educational focus, and any other essential characteristics.

In July, 2010, Harris Science and Health Elementary School will convert its entire kindergarten through fifth grade school to a conversion charter school impacting a minimum of 225 students the first year to an anticipated five hundred students the second and third years. Harris Science and Health will offer a rigorous academic program to a student population of which 98% receive free and reduced lunches. The states curriculum core offerings will be offered, however coursework will be enhanced through the nationally accepted *Ready, Set, Science!* thrust towards putting research to work in kindergarten through fifth grade classrooms. This curriculum and style of teaching is endorsed by the National Research Council of the National Academies. Through this teaching method, the school will become immersed in an *inquiry-centered science* that finds a common thread in each Literacy, Math, Health and Language Arts class. According to the *National Science Education Standards*, inquiry involves, "making observations, posing questions; examining books and other sources of information to see what is already known; planning investigations; reviewing what is already known in light of experimental evidence; using tools to gather, analyze and interpret data; proposing answers, explanations and predictions; and communicating results."

Through the proposed adoption of the conversion schools *Ready, Set, Science!* a new style of teaching will occur. The reason that inquiry appears new is that many districts and states have come to rely on textbooks as the major vehicle for conveying information to students.

While textbooks may include basic information about a science subject, they typically overemphasize vocabulary and information. Because teachers feel pressured to make sure that students "get it all," they often ask students to memorize words and facts. Research has shown

that memorizing words and facts not only neglects the most important parts of science, but also seems boring and irrelevant to young learners. This "inquiry" style of Science will therefore run through all core subjects lending itself to a unique method of learning. This learning will meet Arkansas State Frameworks and Pulaski County Special School District curriculum requirements.

PE4Life, Developing and Promoting Quality Physical Education is the second part of the conversion schools thrust. Scientific evidence now supports the old idea of a "sound mind in a sound body." Numerous studies exist showing a distinct relationship between academic achievement, health and physical fitness. In particular, recent research has determined that physical activity and a healthy lifestyle facilitates cognitive development. Harris Science and Health Conversion Charter will provide an ideal mechanism to promote healthy choices and habits for its students, families and community.

Harris Elementary maintains a population in which the median household income for the area is \$19,762 and the per capita income is \$11,737, as determined from the U.S. Census 2000 data. The data also reflects that 70.5% of grandparents are responsible for some aspect of the custodial care of the children living in the area, and another 10% of the students live with foster parents (Arkansas Department of Health and Human Services).

The proposed inquiry learning will enable students to excel. The incorporation of these proven curriculums and styles of learning will allow for a rigorous academic curriculum to be set in place, including a systematic approach to instruction and assessment.

D. REQUIRED INFORMATION

The applicant for the proposed conversion public charter, if approved by the State Board of Education, agrees to operate the educational program described below in accordance with the provisions described within this document, Ark. Code Ann. §6-23-101 et.seq., the State Board of Education Rules Governing Charter Schools, and the attached assurances. This is a narrative description of various components of the proposed charter school, and the responses to the following inquiries including any supporting attachment pages **must be limited to no more than 30 pages.**

Application Standards:

1. Describe the results of the public hearing which was held for the purpose of assessing support for the establishment of this district conversion public charter school. Provide verification that notice of the public hearing was distributed to the community, certified school personnel, and parents of all students enrolled in the public schools in the community to be served by the proposed charter school. Also, include verification that notice of the public hearing was published on a weekly basis for at least three (3) weeks prior to the date of the hearing in a newspaper having general circulation in the school district.

A public hearing for the express purpose of assessing support for the Harris Science and Health Conversion Charter School was held at 6:30pm on Tuesday September 15th. There were approximately 60 parents, staff members, administrators, State Representatives and Pulaski County Special School Districts School Board members comprising the audience.

Presentations were made by:

- Dr. Deborah McAfee, Director of Grants, Pulaski County Special School District
- Ms. June Elliott, Deputy Director of Learning Services, Pulaski County Special Schools
- Ms. Lou Jackson, Principal, Harris Elementary School
- Ms. Perrot, University of Arkansas Little Rock, Science Specialist
- Ms. Williams, Zoned School Board Member, Pulaski County Special School District

The meeting began with a presentation detailing the historical highlights of Harris Elementary, followed by the current thrust of Science and Health within the school. The merits of the different styles of learning to be incorporated within this specific conversion charter school

were highlighted. An explanation was then shared describing how the Harris Science and Health Elementary School would mesh the state frameworks and curriculum of PE4Life and *Ready Set Science!* within the current school.

Following the presentation, the school administration encouraged those attending to voice their opinions, concerns or questions. Parents and teachers asked questions for clarification. Numerous teachers expressed their desire to be employed within the charter school. Several parents and teachers expressed their excitement regarding the charter school and pledged their support, offering to assist to help in any way they possibly could. One Pulaski County Special School Board member raised his cell phone to the audience and expressed that to children, this was the future-learning games, texts and browsing the web all from a hand-held phone. The schools and curriculum must keep up with the times. The overall feeling and ambience of the public hearing was extreme optimism and excitement. The main quest presented to the school was to keep the community involved. Let them know when open house and community meetings would be held via telephone, mailings, etc. An overview of the curriculum to be adopted was then shared.

Verification of notice to the public, parents and certified school personnel is attached:

- A copy of the notice that ran in the Arkansas Democrat Gazette newspaper on Thursday, October 13th, on Thursday, October 20th and on Thursday, October 27th. accompanied by a copy of the invoice from the newspaper.
- A copy of the announcement of the meeting hand delivered to all staff at Harris Elementary School, and sent home to the parents of students attending Harris Elementary.
- A copy of the agenda from the evenings meeting as well as the sign-in sheets.

2. **Give the mission statement of the proposed district conversion public charter school**

Harris Elementary School is designated as an Arkansas Reading First and a NASA Explorer Alumni School. The Harris faculty and staff are committed to maximizing every student's cognitive and physical potential by implementing a standards-based curriculum and instruction strategies with explicit instruction in Technology, Character, Science, Health and Physical Education.

3. **Describe the educational need for the school.**

Pulaski County Special School District has approximately 17,568 students currently enrolled in kindergarten through twelfth grades. The district has twenty-four schools that instruct students grades kindergarten through fifth grade. According to data released by the Office of Research Management (ORME) at the University of Arkansas, Harris Elementary School is gaining ground in respect to student achievement and test scores. The scores shared below reflect a gain in literacy and mathematics, indicating this may be the school's last year on an improvement plan.

Third Grade Benchmark for Mathematics/Literacy, Spring 2009

Name	Below Basic	Basic	Proficient	Advanced
HARRIS ELEMENTARY MATH	13%	34%	29%	24%
HARRIS ELEMENTARY LITERACY	29%	29%	24%	18%

Fourth Grade Benchmark for Mathematics/Literacy, Spring 2009

Name	Below Basic	Basic	Proficient	Advanced
HARRIS ELEMENTARY MATH	26%	26%	37%	11%
HARRIS ELEMENTARY LITERACY	32%	26%	26%	16%

Fifth Grade Benchmark for Mathematics/Literacy, Spring 2009

Name	Below Basic	Basic	Proficient	Advanced
HARRIS ELEMENTARY MATH	42%	16%	23%	19%
HARRIS ELEMENTARY LITERACY	19%	32%	32%	16%

Harris Elementary houses students that the regular textbook curriculum is not reaching. The district does not focus test score disparity on the 98% free and reduced rate, nor does it place emphasis on the low-income area in which the school is located. The staff and administration understand that in this fast-paced world of texting, DVD's, I-Phones and flip phones, students are relating to hands-on approaches to learning, as well as a strong level of inquiry. Students

Promotional and educational materials regarding the school's offerings will be developed and distributed throughout the school district. The "first" to be contacted regarding this achievement will be the elders of the community as they watch "their" school grow and test scores increase!

- b. The groundwork has been laid with certified employees and parents of students currently enrolled within the school. A "questions and answer" brochure has gone home with each student as well as an extra brochure for their neighbor. Harris wants the community to "buy into" this concept and become even more supportive of their school. When parent/school/community in-services were held a telephone chain began calling senior citizens and alumni of Harris to attend the meetings. This plan has been accepted and solidified within the community as an effective way to implement school and academic improvement. The community and parents which support Harris Elementary are ready and willing to support Harris Science and Health Elementary Conversion Charter School!

4. Describe the educational program to be offered by the public charter school.

Harris Science and Health Conversion Charter School staff recognize that children, with their own unique personalities, learn in different ways, requiring various methodologies to meet the needs of individual learners. Therefore, Harris's definition of student academic achievement is that each child will reach his or her full intellectual, emotional and social potential through the schools Science and Health enriched curriculum.

Teachers and staff use many strategies to keep the love of learning alive. Regarding Science and Health specifically, to stimulate their students' natural curiosity, some teachers arrange fieldtrips to wetlands, rivers and lakes as part of their studies of environment. To keep younger imaginations flourishing, other teachers bring duck eggs to school and encourage students to care for them and imagine what the ducklings will be like when they hatch. To instill a love of experimental inquiry, teachers use materials such as batteries and bulbs or rocks and minerals as the starting point for asking questions, experimenting, developing theories, and communicating their ideas.

All of these learning activities are part of inquiry-centered science. This is what Harris Science and Health Elementary wants to make an integral part of each and every classroom, each and every day. "Standards" inquiry involves "making observations; posing questions; examining books and other sources of information to see what is already known; planning investigations; analyzing and interpreting data and proposing answers. We do it each time we read, work a math problem or enjoy health and physical education. Each of these activities are deeply rooted in both the scientific tradition and the educational approach to learning.

Because Harris, and many other schools have come to rely on textbooks as the major vehicle for conveying information to students a decrease in children taking ownership of their

learning has occurred. It is just not a fun educational experience like it should be! Because teachers feel pressured to make sure that students, "get it all," they often ask students to memorize words and facts...not to learn them. This memorization seems boring and irrelevant to young learners...thus the National Research Council's Ready, Set, Science! and "Science For All Children." This is Harris Science and Health School's attempt to get the children completely immersed in their education through inquiry and experiential learning! Complete immersion in learning through the Health and PE4Life curriculums and the inquiry method of learning through Ready, Set, Science!

The Health aspect of the conversion charter school is due to the high probability of health risks associated with a low income, high free and reduced rate, predominantly black school. We're in the middle of a childhood obesity epidemic, and the health implications are daunting. A variety of socio-cultural developments over the past 25 years have combined to discourage a healthy, physically active lifestyle. In essence, our children are increasingly growing up in a culture that makes it easy to be sedentary.

Scientific evidence now supports the old idea of a "sound mind in a sound body." Several studies have shown a distinct relationship between academic achievement and health and physical fitness. In particular, recent research has determined that a healthy lifestyle with physical activity facilitates cognitive development. The PE4Life curriculum provides an ideal mechanism to promote healthy choices and habits for those most in need both physically and mentally. Research has shown that students that took a health or fitness-based physical education course, in addition to a literacy class, improved their reading and comprehension scores by 1.4 years on a grade-level equivalency scale. This was a nearly 50% greater improvement than students who took the literacy class alone achieved.

This style of instruction is exciting and new. Students will no longer be passive learners, but will be taking an active role in their education not only by engaging in classroom learning, but by the intrinsic nature of challenging and competing against themselves as they are exposed to an enriched curriculum. The total immersion of health and Science into literacy, math, language arts and social studies will be at the forefront of the schools educational offerings.

As students become more self-directed and self-motivated through the inquiry method of learning diligent habits and optimistic attitudes will be developed. A more varied and interesting environment means fewer problems and more learning. In the final analysis, Harris Science and Health Conversion Charter School will get the curriculum and hands on approach to learning and succeeding, as well as what will motivate and inspire students to succeed, in a form of instruction that is both challenging and meaningful to them.

5. List the specific goals in reading, reading comprehension, mathematics and mathematics reasoning based on the state mandated assessments and any other assessment tools if used, for improving student academic achievement for each year of the public charter schools' initial five (5) year period.

Baseline data for state testing and No Child Left Behind school improvement goals for Harris Science and Health Conversion Charter School will be based on state mandated assessment data established within the Pulaski County Special School District.

Year 1: The students of Harris Science and Health Conversion Charter School will meet adequate yearly progress as defined by the Arkansas Department of Education and the No Child Left Behind legislation.

Year 2: The students of Harris Science and Health Conversion Charter School will meet adequate yearly progress as defined by the Arkansas Department of Education and the No Child Left Behind legislation.

Year 3: The students of Harris Science and Health Conversion Charter School will meet adequate yearly progress as defined by the Arkansas Department of Education and the No Child Left Behind legislation.

Year 4: The students of Harris Science and Health Conversion Charter School will meet adequate yearly progress as defined by the Arkansas Department of Education and the No Child Left Behind legislation.

Year 5: The students of Harris Science and Health Conversion Charter School will meet adequate yearly progress as defined by the Arkansas Department of Education and the No Child Left Behind legislation.

6. Describe the process that will be used to develop and align the curriculum with the Arkansas Curriculum Frameworks.

Harris Elementary and Pulaski County Special School District have met with prior success in the alignment of the Arkansas Curriculum Frameworks with district goals and objectives. District ACSIP, curriculum mapping and alignment of activities initiated as a district strategy are inclusive of the Harris Elementary Science and Health Conversion School. Moreover, as there is a strong standards-based environment as an essential component in the charter school plan, knowledge of and accountability to the Arkansas Curriculum Frameworks is increased to include parents, community and students as well as the teachers.

The curriculum expectations are aligned to the Arkansas Curriculum Frameworks in the areas of language arts, mathematics, history, music, Science and visual arts. Nor are there any

noticeable gaps in content across the grade levels. The meshing of the Arkansas Frameworks and the focus on Science and Health enriched curriculum will allow students to meet or exceed expectations.

While the processes described are relatively simple ones, there are several keys that make them successful. One is the involvement of the teachers in developing the maps and assessments and the dialogue that is necessary to work through the processes. Dialogue is focused upon the frameworks and understanding them; dialogue is focused upon each child's individualized instruction. Another key is that the processes allow teachers to monitor and adjust to the learning strategies inherent in every student, allowing curriculum and learning interventions to be made. Thirdly, the processes described represent a systematic and systemic approach to classroom reform and teaching. Teachers are allowed the creativity and flexibility required in primary grade instruction. Each year the curriculum and the alignment process will be reviewed and repeated, in an effort to ensure that instruction is targeting students' needs, based upon the data available to teachers.

7. Describe the enrollment criteria and the student selection process. Include a statement that a random, anonymous student selection method will be utilized in the event that more students apply for admission to the charter school than can be accommodated under the terms of the charter, except as allowed for in Ark. Code Ann. §6-23-306(14)(C). Should an applicant believe that the use of a weighted lottery is necessary, the applicant shall state how they will comply with the requirements of Arkansas Code Annotated 6-23-306(14)(c).

Harris Science and Health Conversion Charter Elementary School will be open to all students who reside in the Harris Elementary district or who legally transfer to Harris Elementary School. In accordance with all federal and state laws, no student will be denied enrollment in the school based on race, ethnicity, national origin, gender or disability.

Students who reside in the attendance zone established for Harris Elementary will be given first priority for enrollment. If the number of students enrolled from the Harris Elementary attendance zone is fewer than the maximum enrollment allowed in this charter, students who reside in the Pulaski County Special School District and who attend another elementary school, plus students who are eligible to legally transfer to Harris Elementary will be enrolled until the maximum number is enrolled.

- 8. Summarize the job descriptions of the school director and other key personnel. Specify the qualifications to be met by professional employees (administrators, teachers, counselors, etc.) of the program. List the types of administrative positions, teaching positions and support positions and how many of each.**

School Director/Principal:

The School Director of Harris Science and Health School will hold a degree and an administrative license. This person will be highly qualified to serve in this capacity and will model the school's philosophy. The Director's primary responsibility is to spearhead the implementation of all programs outlined and ensure that the school is reaching its goals and mission: academic achievement of every student. The Director will provide instructional leadership for Harris staff. This person will work with Deputy Director June Elliott in the areas of curriculum planning, review and implementation, and in professional development. This person will have all student slots filled prior to the opening of school. The first year of the conversion charter will enroll a minimum of two hundred and twenty-five students. The second year enrollment will increase. The Director is responsible for building administration and the safety and welfare of the students and staff.

Other Duties:

- a. Establishes, monitors and revises schedules
- b. Provides supervision to students
- c. Supervises extra-curricular activities, assemblies
- d. Evaluates instructors
- e. Provides professional development opportunities for building personnel
- f. Manages the school budget
- g. Establishes and meets with school teams to monitor implementation for the school program
- h. Implements policy and procedures established in the approved Harris Science and Health School, by the Pulaski County Special School District Board and the Arkansas Department of Education
- i. Develops and maintains a communication plan to build relationships with parents, parent groups and community

The administrative structure for Harris Science and Health School is covered under the existing district structure. The Pulaski County Special School District's School Board and the Arkansas Department of Education continues to be the one and only governing body for the district. The Superintendent and Deputy Superintendent of PCSSD maintain control as the two district personnel with the most responsibility and authority in the day-to-day operations of all schools in the district, including the charter school. The Harris Science and Health School Director works under the supervision of the Superintendent and Deputy Superintendent and has direct authority over all personnel in the charter school.

Due to the fact that Harris Science and Health School as a conversion charter will be changing curriculum rather than staffing, all support personnel, including counselors, physical therapist, aides and librarians are seamlessly involved in supporting the charter school.

All teacher positions will comply with state rules and regulations.

9. Describe the manner in which the school will make provisions for the following student services: Guidance Counselor, Health Services, Media Center, Transportation, Food Services, Special Education, Alternative Education, Gifted and Talented Program.

As indicated in the prior question, Section 8, a seamless, transparent continuation of all existing structures and student services is maintained by design in the Pulaski County Special School District's conversion charter; Harris Science and Health School.

It should be noted that any student with a disability entering Harris Science and Health School shall be provided specific services, understanding that all aspects of IDEA apply. No waiver/s are being requested regarding the school or districts responsibility in the providing of services for students with disabilities.

10. Provide a statement that the charter school will participate in the Arkansas Public School Computer Network for reporting education data, as required by state statute or by State Board of Education rule.

During the 2010-2011 school year, Harris Science and Health Conversion Charter School will report all educational data through the Arkansas Public School Computer Network.

11. Describe the facilities to be used. Give the present use of the facility and the use for the past three (3) years. Include a statement that the facility will comply with all requirements for accessibility in accordance with the Americans with Disabilities Act (ADA) and Individuals with Disabilities Education Act (IDEA) and all other state and federal laws. If the facility does not currently meet these requirements, provide a list of items that will need to be addressed to bring the facility into compliance.

Harris Elementary School holds the distinction of being the oldest continually operating historically African-American school in the Pulaski County Special School District. The present Harris Elementary traces its origins to a one-room, all black school known as Morning Glory School founded in 1886. By 1970 the school district had renamed the school Harris Elementary School.

The facilities comply with the requirements for accessibility in accordance with ADA and IDEA. If students enroll with exceptional needs beyond the current modification, the Pulaski County Special School District is committed to making the modifications needed to comply with ADA and IDEA.

As addressed through the local zoning authority letter (See Attached) Harris Elementary School is in the unincorporated area of Pulaski County with no zoning requirements. There are no alcohol sales within 1000 feet of the facility.

12. List the provisions of Title 6 of the Arkansas Code Annotated (Education Code) and the rules and regulations, including sections of the *Standards for Rules* as allowed, established by the State Board that the district conversion public charter.

Harris Science and Health requests the following waivers from Arkansas Code Annotated, State Board of Education Rules and Regulations, and Standards for Accreditation of Arkansas Public Schools:

6-15-1004 Qualified teachers in every public classroom

Harris requests the flexibility to employ instructors it feels will be most successful in the program, regardless of licensure status.

6-16-102 School Day

Based on student need and program design, Harris requests that the option to extend the school day remain flexible. Harris Science and Health is requesting competency based/mastery learning. At this time a regular school schedule has been implemented. Need for school day flexibility will be based on two hundred and twenty-five students the first year.

6-17-401 Teacher's license requirement

Harris Science and Health Elementary may facilitate the need to utilize contract services from personnel to instruct specialized topics for a few hours daily or short periods of time; therefore, full compliance with this statute would be restrictive.

6-17-902 Definition of a teacher

Harris Science and Health design facilitates the need to utilize contracted services for personnel to instruct specialized topics for a few hours daily or short periods of time; therefore, full compliance with this statute would be restrictive

**6-17-1501 Public School Fair Hearing Act
through**

6-17-1705 In order to recruit and maintain the most highly qualified instructors to teach such a diverse student population, a request for this waiver is being made. Harris Science and Health pledges that all constitutional due process will be followed in all employee dismissal events.

6-17-203 Committee for Each School District

Harris Science and Health requests that the charter school not be subject to review by the Personnel Policies Committee due to program design.

Standards Waivers Requested:

Class Size and Teaching Load

Due to program design, Harris Science and Health Conversion Charter School requests that this standard be waived. Harris strives to keep the traditional educational setting classroom to a 22-1 ratio, but in the non-traditional educational setting the required ratio would not allow the flexibility needed.

Support Services /Media Services

Harris Science and Health requests a waiver from this standard since media will be available through local libraries, on-line encyclopedias, Wikipedia and internet sources.

Records and Reports

The annual applications for district programs grades kindergarten through five shall be inclusive of the conversion charter school serving these grades. Applications will not be replicated (Guidance, ACSIP, Gifted and Talented, etc.)

13. Describe the potential impact of the proposed district conversion public charter school on the efforts of a public school district or districts to comply with court orders and statutory obligations to create and maintain a unitary system of desegregated public schools.

Pulaski County Special School District does not expect that Harris Science and Health Elementary Conversion School will have an impact on racial composition. The district does not expect a negative impact on neighboring district's efforts to increase and maintain a unitary system of desegregated schools.

14 a. Describe how the certified employees and parents of students to be enrolled in the conversion public charter school will be involved in developing and implementing the school improvement plan and identifying performance criteria; and

b. Describe how the concerns of certified employees and parents of students enrolled in the conversion public charter school will be solicited and addressed in evaluating the effectiveness of the improvement plan.

a. Harris Elementary School is proud of its heritage. The community is proud that this school is being placed on the National Register as Morning Glory School founded in 1886. The community takes pride that many of their family members attended this school. Parents and school district employees have laid, and will continue to lay the ground work for Pulaski County Special School District, including Harris Science and Health Conversion Charter School. Upon contemplating this process district administrators, school personnel and leading community members within the Harris community thought through the direction and curriculum to be implemented. Literary readings, grade level meetings and information collected was conveyed by personnel. Upon the Conversion Charter School status being given by the Arkansas Board of Education, the school Principal will begin making arrangements for the school curriculum and training to be incorporated during the 2010-2011 school year.

Promotional and educational materials regarding the school's offerings will be developed and distributed throughout the school district. The "first" to be contacted regarding this achievement will be the elders of the community as they watch "their" school grow and test scores increase!

- b. The groundwork has been laid with certified employees and parents of students currently enrolled within the school. A "questions and answer" brochure has gone home with each student as well as an extra brochure for their neighbor. Harris wants the community to "buy into" this concept and become even more supportive of their school. When parent/school/community in-services were held a telephone chain began calling senior citizens and alumni of Harris to attend the meetings. This plan has been accepted and solidified within the community as an effective way to implement school and academic improvement. The community and parents which support Harris Elementary are ready and willing to support Harris Science and Health Elementary Conversion Charter School!

Harris Elementary Science and Health

Conversion Charter School

ATTACHMENTS:

Proof of legal advertising

Proof of handouts delivered to all certified and support personnel and students

Public Hearing Agenda

Public Hearing Sign-In Sheet

Pulaski County Special School District Calendar

Harris Elementary Classroom Schedules

Charter School Budget

Teacher Salary Schedule

Administrative Salary Schedule

Letters of Support from Parents/Students/Pulaski County School Board President/Principal, Harris Elementary/North Little Rock Mayor Patrick Hays/Van McClendon, Director of Planning and Development, Pulaski County regarding alcohol sales

District Conversion Public Charter School Application of Assurances

Arkansas Democrat Gazette

STATEMENT OF LEGAL ADVERTISING

PULASKI CO SPECIAL SCHOOL DIST
925 DIXON RD
LITTLE ROCK AR 72216

REMIT TO:
ARKANSAS DEMOCRAT-GAZETTE, INC.
P.O. BOX 2221
LITTLE ROCK, AR 72203

ATTN: Deborah McAfee
DATE : 08/27/09 INVOICE #: 2462050
ACCT #: L1135599 P.O. #:

BILLING QUESTIONS CALL 378-3812

STATE OF ARKANSAS,
COUNTY OF PULASKI, } ss.

I, Elizabeth Myers do solemnly swear that I am the Legal Billing Clerk of the Arkansas Democrat - Gazette, a daily newspaper printed and published in said County, State of Arkansas; that I was so related to this publication at and during the publication of the annexed legal advertisement in the matter of:

public hearing
pending in the Court, in said County, and at the dates of the several publications of said advertisement stated below, and that during said periods and at said dates, said newspaper was printed and had a bona fide circulation in said County; that said newspaper had been regularly printed and published in said County, and had a bona fide circulation therein for the period of one month before the date of the first publication of said advertisement; and that said advertisement was published in the regular daily issues of said newspaper as stated below.

AD COPY

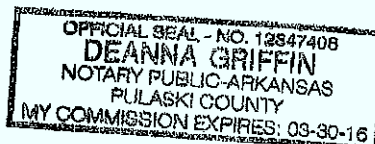
NOTICE OF PUBLIC HEARING
A public hearing regarding the establishment of a Conversion Charter School at Harris Elementary will be held on Tuesday, September 15, 2009 at 6:30pm in the Harris Elementary School's Computer Lab, 4424 Highway 161 North, North Little Rock, AR 72117. Patrons are invited to attend.
57775058

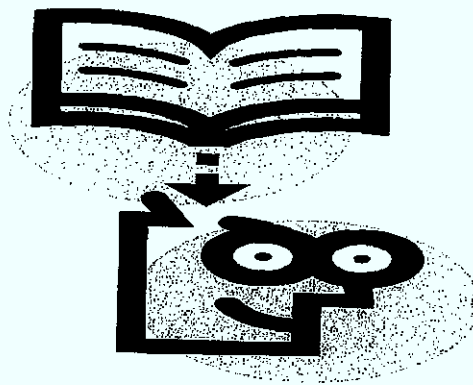
DATE	DAY	LINAGE	RATE	DATE	DAY	LINAGE	RATE
08/13	Thu	15	1.25				
08/20	Thu	15	1.25				
08/27	Thu	15	1.25				

TOTAL COST ----- 56.25
Billing Ad #: 57775058

Subscribed and sworn to me this
day of Aug, 2009

Deanna Griffin
Notary Public





***Please
Come
Share
Your
Ideas!
HARRIS
ELEM.
Needs
YOU!***

6:30pm

HARRIS ELEM.

4424 Hwy. 161 North
North Little Rock, AR

Tuesday, Sept. 15th

In an effort to continue to be the very best school available to students, HARRIS Elementary will be holding a "PUBLIC HEARING" to share ideas on becoming a conversion charter school.

SCIENCE---HEALTH---ALL SCIENCES!!!!!!

**PLEASE COME HEAR AND SHARE YOUR
IDEAS!**

HARRIS ELEMENTARY

Science and Health

Conversion Charter School

Public Hearing

Tuesday, September 15, 2009

6:30pm

- ❖ Welcome and thank YOU for coming!
 - ❖ Introduction of guests and speakers
 - ❖ Why a conversion charter school?
 - ❖ What does it mean to our children?
 - ❖ What does it mean to you as parents?
 - ❖ Why now? What took so long?
-
- What may I do to help?
 - Who can I call if I have questions?
 - Will our enrollment increase?
 - Will our teachers change?
 - What exactly will change?

QUESTIONS???? Tell us what you think!!!

For more information regarding Harris Elementary and its becoming a Health and Science Conversion Charter School do not hesitate to speak to the principal, Ms. Jackson, or the Conversion Charter School grant writer Dr. McAfee at 490-6204, or email dmcafee@pcssd.org

THANK YOU!

HARRIS ELEMENTARY

Science and Health

Conversion Charter School

Public Hearing

Tuesday, September 15, 2009

6:30pm

SIGN-IN SHEET:

1. Bill Vasquez
2. Michele Pickett
3. Kristi Brown
4. Charles G. Vainish
5. Danny Stillard
6. Jim Jackson
7. Joyce Smith
8. John Hofreimer
9. Shanea Stephenson
10. Sharron Rowe
11. June Elliott

HARRIS ELEMENTARY

Science and Health

Conversion Charter School

Public Hearing

Tuesday, September 15, 2009

6:30pm

SIGN-IN SHEET:

1. Gloria Loring
2. David Harkamp
3. Robert Thompson
4. Theresa Johnson
5. Florence Wiley
6. LaShonda Stephenson
7. Larry Scaife
8. Bill Bame
9. Bobby Carey
10. Joseph Taylor
Monica Thomas
State Rep Richard L. Carroll

(pages
continue)

Pulaski County Special School District

July 2009

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November 2009

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15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

December 2009

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

2009-2010

925 East Dixon Road
Little Rock, AR 72206
501-490-2000

Independence Day-District observed	July 6
Staff Development	August 12-14
Classroom Preparation	August 17-18
First Day for Students	August 19
Labor Day (no school)	September 7
End of Quarter - 41 days	October 15
Records Day/Staff Dev (no school)	October 16
Staff Development (AEA) (no school)	November 5-6
Staff Development (no school)	November 25
Thanksgiving (no school)	November 26-27
End of Quarter - 40 days	December 18
Winter Break (no school)	December 21 - Jan 1
Martin L. King's Birthday (no school)	January 18
Staff Development (no school)	February 15
End of Quarter - 47 days	March 11
Records Day/Staff Dev (no school)	March 12
Spring Break (no school)	March 22-26
Good Friday (no school)	April 2
Memorial Day (no school)	May 31
End of Quarter - 50 days	June 1
Last day of school	

*** PARENT CONFERENCES are held for 3 hours after school is dismissed. Contact the school for additional information.

*** MAKE-UP DAYS for unavoidable loss of days due to emergency circumstances resulting from contagious disease outbreaks, inclement weather, or other acts of God.

Department Contact Phone Numbers

Human Resources: 490-6210 Equity & Pupil Services: 490-6307
Learning Services: 490-6281

Additional information may be
obtained at WWW.PCSSD.ORG

January 2010

S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

February 2010

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23	24	25	26	27	28	29
30						

March 2010

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16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

April 2010

S	M	T	W	T	F	S
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9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

May 2010

S	M	T	W	T	F	S
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2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

June 2010

S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

Harris Elementary Health/Science Specialty School

Music Discovery PE Science Art Lib/Coun

Time	Monday	Tuesday	Wednesday	Thursday	Friday
7:55-8:35	White			Herekamp	
8:50-9:30	White Bradley	White Bradley	Bradley White	Marino White Bradley	Bradley White
9:50-10:30	Johnson Rutherford Adkins Haynes	Johnson Haynes	Haynes Clark Johnson	Hayes Johnson Haynes	Adkins Rutherford Johnson Haynes
10:50-11:30	Clark Haynes Johnson	Clark	Clark	Clark	Clark
11:55-12:35	Adkins		Rutherford	Adkins	Loring Rutherford
12:35-1:15	Hayes Herekamp Loring Marino	Hayes Marino	Marino Hayes	Hayes Marino	Rutherford Marino Hayes Bradley
1:35-2:15	Loring Marino Hayes Herekamp	Loring Herekamp	Herekamp Loring	Loring Herekamp	Adkins Herekamp Loring

APLHA—Fridays from 11:30-2:15

Revised as of Aug. 31, 2009

FOURTH Grade/Literacy & Math**THIRD Grade/Literacy & Math**

7:55-9:25	Calendar/Math Enrichment	7:55-8:55	Pull-Out
9:25-9:50	Benchmark Practice/Writing	8:55-9:10	Familiar Reading
9:50-10:50	Pull-Out	9:10-9:40	Word Study
10:50-11:10	Familiar Reading/ Quick Reads/ AR	9:40-9:55	Read Aloud
11:10-11:40	Word Study	9:55-10:05	Strategy Based Mini-Lesson
11:40-12:25	Lunch Physical Activity	10:05-11:30	Guided Reading
12:25-1:35	Read Aloud ML Guided Reading	11:30-12:15	Lunch Physical Activity
1:35-2:35	Science Social Studies Health	12:15-1:35	Math
		1:35-2:35	Writing Workshop

Harris Elementary Health/Science Specialty School

Science Lab Schedule 09-10

Time	Monday	Tuesday	Wednesday	Thursday	Friday
7:55-8:35	White				
8:50-9:30		Bradley			
9:50-10:30	Adkins	Haynes	Clark		Rutherford
10:50-11:30	Johnson				
11:55-12:35					
12:35-1:15	Loring	Marino			
1:35-2:15	Hayes	Herkamp			

**Public Charter School Application
Budget Worksheet/Template**

Line#	<u>Revenues</u>	<u>Amount</u>	<u>Total</u>
1	State Public Charter School Aid:		
2	No. of Students 191 x <u>\$3,799.69</u> State Funding Foundation		
3			<u>\$3,779.69</u>
4	Total State Charter School Aid <u>\$450,000</u>		<u>\$450,000</u>
5			
6	Other Sources of Revenues:		
7	Private Donations or Gifts	_____	
8	Federal Grants (List the amount)	_____	
9	Special Grants (List the amount)	_____	
10	Other (<i>Specifically Describe</i>)	_____	
11			
12			
13	Total Other Sources of Revenues		_____
14			_____
15	TOTAL REVENUES		<u>0.00</u>
16			<u>\$1,175,741</u>
17	<u>Expenditures</u>	<u>Amount</u>	<u>Total</u>
18			
19	Administration:		
20	Salaries: (<i>No. of Positions</i> <u>1</u>)	<u>\$85,743</u>	
21	Fringe Benefits	<u>\$27,438</u>	
22	Purchased Services	<u>\$20,000</u>	
23	Supplies and Materials	<u>\$ 5,000</u>	
24	Equipment	_____	
25	Other (<i>Describe</i>)	_____	
26			<u>\$153,181</u>
27	Regular Classroom Instruction:		
28	Salaries: (<i>No. of Positions</i> <u>12</u>)	<u>\$396,330</u>	
29	Fringe Benefits	<u>\$126,825</u>	
30	Purchased Services	_____	
31	Supplies and Materials	<u>\$ 86,000</u>	
32	Equipment	<u>\$225,500</u>	
33	Other (<i>Describe</i>)	_____	
			<u>\$804,655</u>

34

(Budget Continued)

35 Special Education:

36	Salaries: (No. of Positions <u> </u>)	<u>\$36,030</u>	
37	Fringe Benefits	<u>\$11,529</u>	
38	Purchased Services	<u> </u>	
39	Supplies and Materials	<u> </u>	
40	Equipment	<u>\$14,200</u>	
41	Other (Describe)	<u> </u>	<u>\$61,759</u>
42			

43 Gifted and Talented Program:

44	Salaries: (No. of Positions <u>1</u>)	<u>\$11,683</u>	
45	Fringe Benefits	<u>\$ 3,738</u>	
46	Purchased Services	<u> </u>	
47	Supplies and Materials	<u>\$4,000</u>	
48	Equipment	<u>\$4,600</u>	
49	Other (Describe)	<u> </u>	<u>\$24,021</u>
50			

51 Alternative Education Program:

52	Salaries: (No. of Positions <u>1</u>)	<u>\$74,871</u>	
53	Fringe Benefits	<u>\$23,958</u>	
54	Purchased Services	<u> </u>	
55	Supplies and Materials	<u>\$10,000</u>	
56	Equipment	<u> </u>	
57	Other (Describe)	<u> </u>	<u>\$108,829</u>
58			

59 Guidance Services:

60	Salaries: (No. of Positions <u>.60</u>)	<u>\$29,544</u>	
61	Fringe Benefits	<u>\$ 9,454</u>	
62	Purchased Services	<u> </u>	
63	Supplies and Materials	<u>\$3,000</u>	
64	Equipment	<u>\$4,600</u>	
65	Other (Describe)	<u> </u>	<u>\$46,598</u>
66			

67 Health Services:

68	Salaries: (No. of Positions <u>.40</u>)	<u>\$15,269</u>	
69	Fringe Benefits	<u>\$ 4,866</u>	
70	Purchased Services	<u> </u>	
71	Supplies and Materials	<u>\$2,500</u>	
72	Equipment	<u>\$4,600</u>	
73	Other (Describe)	<u> </u>	<u>\$27,255</u>

74

(Budget Continued)

75 Media Services:

76	Salaries: (No. of Positions <u>.40</u>)	<u>\$19,368</u>	
77	Fringe Benefits	<u>\$ 6,197</u>	
78	Purchased Services	<u>\$ 4,500</u>	
79	Supplies and Materials	<u>\$20,000</u>	
80	Equipment	<u>\$10,500</u>	
81	Other (Describe)		<u>\$60,565</u>
82			

83 Fiscal Services:

84	Salaries: (No. of Positions <u> </u>)		
85	Fringe Benefits		
86	Purchased Services		
87	Supplies and Materials		
88	Equipment		
89	Other (Describe)		<u>\$0.00-in-kind</u>
90			

91 Maintenance and Operation:

92	Salaries: (No. of Positions <u>1</u>)	<u>\$34,352</u>	
93	Fringe Benefits	<u>\$10,992</u>	
94	Purchased Services		
95	Supplies and Materials	<u>\$ 3,000</u>	
96	Equipment	<u>\$11,000</u>	
97	Other (Describe)		<u>\$59,344</u>
98			
99			

100 Pupil Transportation:

101	Salaries: (No. of Positions <u>4</u>)	<u>\$43,602</u>	
102	Fringe Benefits	<u>\$13,952</u>	
103	Purchased Services		
104	Supplies and Materials		
105	Equipment		
106	Other (Describe)		<u>\$57,554</u>
107			

108 Food Services:

109	Salaries: (No. of Positions <u>6</u>)	<u>\$72,069</u>	
110	Fringe Benefits	<u>\$21,474</u>	
111	Purchased Services		
112	Supplies and Materials	<u>\$ 2,000</u>	
113	Equipment		
114	Other (Describe)		<u>\$95,543</u>

115

(Budget Continued)

116 Data Processing:

117 Salaries: (No. of Positions 50)\$7,722

118 Fringe Benefits

\$2,471

119 Purchased Services

120 Supplies and Materials

121 Equipment

122 Other (Describe)

 \$10,193

123

124 Substitute Personnel:

125 Salaries: (No. of Positions 145@\$65)\$ 9,425

126 Fringe Benefits

 \$ 9,425

127

128 If Applicable: Facilities

129 Lease/Purchase (contract for one total
year including facility upgrades:

130 Please list upgrades

131

132 If Applicable: Utilities (contract for one total
year including facility upgrades) 133 If Applicable: Insurance (contract for one
total year including facility upgrades):

134 If Applicable: Property Insurance

135 If Applicable: Content Insurance

 \$0.00-in-kind

136

137 Debt Expenditures:

138 Other Expenditures:

139 (Describe)

140

\$2,694,663141 **TOTAL EXPENDITURES**

**PULASKI COUNTY SPECIAL SCHOOL DISTRICT
TEACHER SALARY SCHEDULE**

2009-2010

132 Days

STEP	BA	BA + 12	BA + 24	MA	MA + 15	MA + 30	MA + 45	Doctorate
1	\$31,251	\$32,751	\$34,323	\$35,971	\$37,697	\$39,507	\$41,403	\$43,390
2	\$32,001	\$33,537	\$35,147	\$36,834	\$38,602	\$40,455	\$42,397	\$44,432
3	\$32,769	\$34,342	\$35,990	\$37,718	\$39,528	\$41,426	\$43,414	\$45,498
4	\$33,556	\$35,166	\$36,854	\$38,623	\$40,477	\$42,420	\$44,456	\$46,590
5	\$34,361	\$36,010	\$37,739	\$39,550	\$41,449	\$43,438	\$45,523	\$47,408
6	\$35,185	\$36,874	\$38,644	\$40,499	\$42,443	\$44,481	\$46,616	\$48,853
7	\$36,030	\$37,759	\$39,572	\$41,471	\$43,462	\$45,548	\$47,734	\$50,026
8	\$36,895	\$38,666	\$40,522	\$42,467	\$44,505	\$46,641	\$48,880	\$51,226
9	\$37,780	\$39,594	\$41,494	\$43,486	\$45,573	\$47,761	\$50,053	\$52,456
10	\$38,687	\$40,544	\$42,490	\$44,529	\$46,667	\$48,907	\$51,254	\$53,715
11	\$39,615	\$41,517	\$43,510	\$45,598	\$47,787	\$50,081	\$52,485	\$55,004
12	\$40,883	\$42,845	\$44,902	\$47,057	\$49,316	\$51,683	\$54,184	\$56,764
13	\$42,191	\$44,216	\$46,339	\$48,563	\$50,894	\$53,337	\$55,897	\$58,580
14	\$43,541	\$45,631	\$47,822	\$50,117	\$52,523	\$55,044	\$57,686	\$60,455
15	\$44,935	\$47,092	\$49,352	\$51,721	\$54,204	\$56,805	\$59,532	\$62,389
16	\$46,373	\$48,599	\$50,931	\$53,376	\$55,938	\$58,623	\$61,437	\$64,386
17	\$46,998	\$49,268	\$51,650	\$54,157	\$56,750	\$59,467	\$62,312	\$65,292

LONGEVITY AMOUNTS INCLUDED IN 17:

\$625

\$669

\$719

\$781

\$812

\$844

\$875

\$906

All hours above bachelor must be graduate hours.

**PULASKI COUNTY SPECIAL SCHOOL DISTRICT
244-DAY CERTIFIED ADMINISTRATIVE
PROFESSIONAL/TECHNICAL/SUPERVISORY
POSITION CLASSIFICATION SCHEDULE
2009-2010**

RANGE	POSITION	CONTRACT DAYS	MINIMUM	MAXIMUM
4	Coordinator for WAGE	244	\$41,807.00	\$61,151.00
9	Coordinator-Title I Instructional Programs	244	\$49,275.00	\$72,075.00
10	Coordinator-Professional Development	244	\$51,515.00	\$75,351.00
11	Coordinator - Adult Education	244	\$54,502.00	\$79,722.00
	Coordinator - Information Technologies	244		
	Coordinator - Pupil Services	244		
13	Director - Counseling Services	244	\$60,477.00	\$88,460.00
	Director - Human Resources	244		
	Director - Talented and Gifted	244		
	Director - Workforce Education	244		
14	Middle School Principal	244	\$63,463.00	\$92,829.00
15	Director - Accountability	244	\$66,451.00	\$97,198.00
	Director - Special Education	244		
16	Director of Federal Programs & Prof. Dev.	244	\$69,438.00	\$101,568.00
	Senior High Principal	244		
17	Director - Elementary Education	244	\$72,425.00	\$105,936.00
	Director - Secondary Education	244		
19	Asst. Superintendent for Equity & Pupil Services	244	\$76,906.00	\$112,492.00
	Asst. Superintendent for Human Resources	244		
20	Deputy Superintendent for Learning Services	244	\$81,387.00	\$119,045.00
21	Chief Financial Officer	244	\$84,374.00	\$123,415.00

Administrators who hold a Specialist's Degree will receive an additional \$1,000.00

Administrators who hold a Doctorate Degree will receive an additional \$2,500.00

Destiny Logan
Harris Elementary
5th

September 23, 2009

Dear Sirs or Madams,

The school has applied for a \$500,000 grant. We think that it is very important that we get new furniture and supplies for the school. I want to support the grant in any way. I hope you understand.

Sincerely,

Destiny Logan.

9/28/09

Good Morning

To whom it may concern, My Name is Stacie O. Nash, I am a parent of 2 children a 4th and 2nd graders of Harris Elementary. I am in support of Harris receiving this additional grant to become a charter School. To assist in further development of my childrens educational growth & Development. This will be a great help to ~~and~~ ^{my} children and other children of this community. Please assist us in becoming the best leaders of the future.

Sincerely,

Stacie O. Nash
(501) 838-2595



Pulaski County Special School District

Office of the Superintendent

Rob McGill, Acting Superintendent
Linda G. Paladino, Executive Assistant

September 10, 2009

Arkansas State Board of Education
Arkansas Department of Education
#4 Capitol Mall
Little Rock, AR 72201

Dear State Board Members,

Pulaski County Special School District takes pride in the opportunities it is able to afford its students. Education is always a critical issue. Harris Elementary School, housed in North Little Rock, is a school which struggles to capture the minds of young students through the traditional classroom means of learning. Therefore the students, community members, administrators and staff are asking for a non-traditional means of learning. The conversion charter school being requested for Harris Elementary would allow it to become a school rich in Science, Math, laboratory experiments and computer enriched learning.

As President of Pulaski County Special School District's Board of Education I support this community's request. It is exciting to offer such enriching curriculum at such a young age. It is exciting to see students wanting to become a part of this school and its curriculum offerings.

Harris has struggled the past few years with its test scores. Harris has struggled the past few years with community perception. The time has come to allow this community, students, and educational staff a resilient means by which to allow their students to achieve, thus the implementation of Harris School of the Sciences.

Pulaski County Special School District is excited and ready to support this dream of the North Little Rock Community. Harris Elementary School will have test scores and proof that a hands on curriculum providing introspect within the Sciences is extremely doable within an elementary school. PCSSD thanks you in advance for keeping an open mind regarding this conversion school and thanks you for assisting us in making positive changes within the lives of children.

We look forward to working in close measure with you in the days ahead.

Sincerely,

Mr. Tim Clark, President
Pulaski County Special School Board



Specialty

Harris Elementary Health and Science

4424 Highway 161 North
North Little Rock, Arkansas 72117

www.pcssd.org

PHONE: (501) 955-3550

FAX: (501) 955-3555

September 24, 2009

Dr. Mary Ann Brown
Arkansas State Department of Education
#4 Capitol Mall
Little Rock, AR 72201

Dear Dr. Brown and State Board of Education,

Please accept this letter as *strong support* for the proposed Harris Health and Science Conversion Charter School. The students of Harris must have access to hands-on learning and waivers from the State Department of Education in order to succeed from the regular state adopted curriculum! Our students are simply wonderful! They deserve every single opportunity to succeed. Through the Conversion Charter School a high interest, hands-on extremely high based Health and Science curriculum will be implemented.

Thank you for your consideration to this Conversion School grant request. We desperately need to incorporate a new means of instruction within the school and community. Harris Elementary School and the community strongly support the conversion school concept.

Sincerely,

Mrs. Lou Jackson
Principal
Harris Elementary

OFFICE OF THE MAYOR



PATRICK HENRY HAYS
MAYOR
mayor@northlittlerock.ar.gov

PHONE (501) 340-5301
FAX (501) 340-5333

CITY HALL
P.O. BOX 5757
NORTH LITTLE ROCK, ARKANSAS 72119-5757
website: www.northlittlerock.ar.gov

September 18, 2009

Arkansas State Board of Education
Arkansas Department of Education
#4 Capitol Mall
Little Rock, AR 72201

Dear Sir or Madame:

It is my understanding that the Pulaski County Special School District is applying for a Conversion Charter School application on behalf of Harris Elementary School in North Little Rock.

North Little Rock applauds the efforts of the Pulaski County Special School District, as well as the Arkansas Department of Education, for moving forward with an important "hands-on" means of learning which will engage the minds of children of all ages.

We are supportive of the school district in seeking educational options for the students within their district.

Sincerely,

A handwritten signature in black ink, appearing to read 'Patrick H. Hays', written over a printed name and title.

Patrick H. Hays
Mayor

PHH:bt



Pulaski County

PUBLIC WORKS
PLANNING & DEVELOPMENT

3200 BROWN STREET
LITTLE ROCK, ARKANSAS 72204
501-340-8260

911 ADDRESSING PROGRAM
501-340-8270

September 1, 2009

CITIES

Arkansas State Department

ALEXANDER

#4 Capitol Mall

Little Rock, Arkansas 72201

CAMMACK VILLAGE

JACKSONVILLE

Re: Harris Elementary School, 4424 Highway 161, North Little Rock, Arkansas, 72117

LITTLE ROCK

MAUMELLE

NORTH LITTLE ROCK

To Whomever It May Concern:

SHERWOOD

Currently, there is no zoning at 4424 Highway 161 in the unincorporated area of Pulaski County. In addition, based on our records, there is no alcohol sales located within 1000' of the above referenced address/property.


WRIGHTSVILLE

If you have any questions, please do not hesitate to contact me.

UNINCORPORATED
AREA

Sincerely,

600 SQUARE MILES


Van McClendon, CFM
Director of Planning & Development

MILITARY
BASES

cc: Reading File

LRAFB


CAMP ROBINSON

DISTRICT CONVERSION PUBLIC CHARTER SCHOOL APPLICATION STATEMENT OF ASSURANCES

The signature of the Superintendent of the School District of the public charter school certifies that the following statements are addressed through policies adopted by the public charter school and, if approved, the local board, administration, and staff of the district conversion public charter school shall abide by them:

1. The information submitted in this application is true to the best of my knowledge and belief.
2. The proposed district conversion public charter school shall be open to all students, on a space available basis, and shall not discriminate in its admission policy on the basis of race, color, national origin, creed, sex, ethnicity, sexual orientation, mental or physical disability, age, ancestry, athletic performance, special need or proficiency in the English language, and academic achievement, although the charter may provide for the exclusion of a student who has been expelled from another public school district.
3. In accordance with federal and state laws the proposed district conversion public charter school hiring and retention policies of administrators, teachers, and other employees shall not discriminate on the basis of race, color, national origin, creed, sex, ethnicity, sexual orientation, mental or physical disability, age, ancestry, or special need.
4. Any educator employed by a school district before the effective date of a charter for a district conversion public charter school operated at a school district facility shall not be transferred to or employed by the public charter school over the educator's objection.
5. The proposed district conversion public charter school shall operate in accordance with federal laws and rules governing public schools; applicable provisions of the Arkansas Constitution; and state statutes or regulations governing public school not so waived by the approved charter.
6. The proposed district conversion public charter school shall ensure that any of its employees who qualify for membership in the Arkansas Teacher Retirement System or the State and Public School Employee Insurance Program shall be covered under those systems to the same extent a qualified employee of the school district is covered.
7. The proposed district conversion public charter school shall comply with all health and safety laws, rules and regulations of the federal, state, county, region, or community that may apply to the facilities and school property.

8. The employees and volunteers of the district conversion public charter school are held immune from liability to the same extent as other school district employees and volunteers under applicable state laws.
9. The district conversion public charter school shall be reviewed for its potential impact on the efforts of a public school district to comply with court orders and statutory obligations to create and maintain a unitary system of desegregated public schools.
10. The charter applicant should know that certain provisions of state law shall not be waived. The proposed district conversion public charter school is subject to any prohibition, restriction, or requirement imposed by Title 6 of the Arkansas Code Annotated and any rule and regulation approved by the State Board of Education under this title relating to:
 - (a) Monitoring compliance with Ark. Code Ann. § 6-23-101 et seq. as determined by the Commissioner of the Department of Education;
 - (b) Conducting criminal background checks for employees;
 - (c) High school graduation requirements as established by the State Board of Education;
 - (d) Special education programs as provided by this title;
 - (e) Public school accountability under this title; and
 - (f) Health and safety codes as established by the State Board of Education and local governmental entities.
11. The facilities of the proposed charter school shall comply with all requirements for accessibility for individuals with disabilities in accordance with the ADA and IDEA and all other state and federal laws.



Signature of Superintendent of School District
Rob McGill

Print or type name

Date: 10/9/09

Application Cycle 2010

ADE Evaluation

Harris Science and Health Elementary Charter



ARKANSAS DEPARTMENT OF EDUCATION

Dr. Tom W. Kimbrell
Commissioner

State Board
of Education

Dr. Naccaman Williams
Springdale
Chair

Jim Cooper
Melbourne
Vice Chair

Sherry Burrow
Jonesboro

Brenda Gullett
Fayetteville

Sam Ledbetter
Little Rock

Alice Mahony
El Dorado

Dr. Ben Mays
Clinton

Toyce Newton
Crossett

November 24, 2009.

Ms. June Elliot
Harris Science and Health Elementary Charter School
925 East Dixon Road
Little Rock, AR 72206

Dear Applicant:

The Arkansas Department of Education (ADE) has completed the evaluation process of the applications for District Conversion Charter Schools as per 7.02 of the ADE Rules Governing Charter Schools. Enclosed is a copy of that evaluation for you.

In accordance with the Charter School rules, you are allowed to submit a written response to this evaluation. Written responses must be in the Charter School Office no later than 4:00 p.m., Monday, December 21, 2009.

Responses should be sent to the following address:

Dr. Mary Ann D. Brown
Charter School Office
Four Capital Mall, Room 105-C
Little Rock, AR 72201

Please feel free to contact the Charter School Office to verify receipt of your written responses at (501) 683-5313.

Thank you,

Mary Ann D. Brown, Ed.D.
Charter School Program Director

Four Capitol Mall
Little Rock, AR
72201-1019
(501) 682-4475
ArkansasEd.org

Enclosure: Public Charter School Application Evaluation Report

**2009-2010
Public Charter School
Application Evaluation Report**

**Harris Science and Health Elementary
Charter**



**Provided by:
Arkansas Department of Education
Charter School Office**

Arkansas Department of Education

Charter School Application Evaluation Instrument

The following instrument will be used to evaluate applications submitted to the Arkansas Department of Education ("ADE") for the establishment of new public charter schools. This instrument is only intended to provide clarity, transparency and consistency in the charter school application review process.

The ADE will use the following instrument only to evaluate the quality of a charter school application against the criteria stated herein. For each of the application requirements, the criteria define the characteristics and elements of a response that meet the standard for charter approval. The following definitions will guide the rating of each information requirement:

Meets the Standard:

The response reflects a thorough understanding of key issues and demonstrates capacity to open and operate a quality charter school. It addresses the topic with specific and accurate information that shows thorough preparation and presents a clear, realistic picture of how the school expects to operate.

Partially Meets the Standard:

The response addresses most of the criteria, but response lacks meaningful detail and requires important additional information.

Does Not Meet the Standard:

The response lacks meaningful detail, demonstrates lack of preparation, or otherwise raises substantial concerns about the applicant's understanding of the issue in concept and/or ability to meet the requirement in practice.

Arkansas Department of Education

District Conversion Public Charter School Application Evaluation

EVALUATION RUBRIC

Name of Proposed School: Harris Science and Health Elementary Charter

Sponsoring School District: Pulaski County Special School District

Part 1: PRE-APPLICATION MATERIALS

The Arkansas Department of Education requires that all applicants submit a Letter of Intent, outlining a general description of the proposed charter school.

Evaluation Criteria:

A response that meets the standard will guarantee that:

- A Letter of Intent was filed with ADE on time and included all necessary information.

Does Not Meet the Standard	Partially Meets the Standard	Meets the Standard
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Strengths	Reference
Letter of Intent was submitted within the deadline.	
Concerns and Additional Questions	Reference

Part 2: REQUIRED INFORMATION

STANDARDS 1 OF APPLICATION: PUBLIC HEARING RESULTS

All proposed school design teams must conduct a public hearing before applying for an open enrollment charter school, to assess support for the school's establishment. Applicants are asked both to document the logistics of the hearing and to include a narrative of the hearing results.

Evaluation Criteria:

A response that meets the standard will present:

- A thorough description and evidence of public support exhibited at the hearing;
- Documentation of required notices published to garner public attention to the hearing.

Does Not Meet the Standard	Partially Meets the Standard	Meets the Standard
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Strengths		Reference
Response meets the standard criteria.		Pages 5-6, 23-27, 39-42
Concerns and Additional Questions		Reference

STANDARD 2 OF APPLICATION: MISSION STATEMENT

The Mission Statement section should indicate what the school intends to do, for whom and to what degree.

Evaluation Criteria:

A response that meets the standard will present:

- A mission statement that is meaningful, manageable and measurable.

Does Not Meet the Standard	Partially Meets the Standard	Meets the Standard
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Strengths		Reference
Concerns and Additional Questions		Reference
Response does not address how the mission will be measured.		Page 7

STANDARD 3 OF APPLICATION: EDUCATIONAL NEED

The Educational Need section should indicate how the school intends to offer a viable educational option for students in Arkansas. Along with the mission statement, this section outlines the basic rationale for the new school.

Evaluation Criteria:

A response that meets the standard will present:

- A description of educational need that presents a clear option for students;
- A specific rationale for how the charter school will enhance or expand the educational options currently available to the school's target student population.

Does Not Meet the Standard	Partially Meets the Standard	Meets the Standard
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Strengths	Reference
Concerns and Additional Questions	Reference
Additional information is needed regarding the specific rationale for how will the school enhance or expand the educational options currently available to the school's target student population.	Pages 7-9

STANDARD 4 OF APPLICATION: EDUCATIONAL PROGRAM

The Educational Program section should describe the educational foundation of the school and the teaching and learning strategies that will be employed.

Evaluation Criteria:

A response that meets the standard will present:

- A clear description of the proposed educational program, including but not limited to the foundational educational philosophy and curricular and instructional strategies to be employed; and
- A clear organization of the school in terms of both length of school day and year that meets minimum state requirements.

Does Not Meet the Standard	Partially Meets the Standard	Meets the Standard
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Strengths	Reference
Concerns and Additional Questions	Reference
Although the application provides a clear description of the program, it is unclear as to why a charter is required to implement the educational program. School schedules provided are for the current year not for the school year that the school will open.	Pages 10-12, 28-31

STANDARD 5 OF APPLICATION: ACADEMIC ACHIEVEMENT GOALS

The Academic Achievement Goals section should define the performance expectations for students and the school as whole.

Evaluation Criteria:

A response that meets the standard will present:

- Specific goals in:
 - Reading;
 - Reading Comprehension;
 - Mathematics; and
 - Mathematics Reasoning;
- Goals that clear, measurable and data-driven;
- Goals on improving student achievement; and
- Valid and reliable assessment tools for measuring each of the defined goals.

Does Not Meet the Standard	Partially Meets the Standard	Meets the Standard
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Strengths	Reference
Concerns and Additional Questions	Reference
The application does not address specific goals in reading, reading comprehension, mathematics, and mathematics reasoning.	Pages 12-13

STANDARD 6 OF APPLICATION: CURRICULUM DEVELOPMENT AND ALIGNMENT

The Curriculum Development and Alignment section should define the process by which the design team developed (or chose) the curricular program of the school, and illustrate alignment with Arkansas Curriculum Frameworks.

Evaluation Criteria:

A response that meets the standard of a curricular development and alignment program will present:

- Evidence that the curriculum aligns with, or a sound and rationale plan and timeline for aligning the curriculum with, the Arkansas Department of Education's content standards, benchmarks and performance standards.

Does Not Meet the Standard	Partially Meets the Standard	Meets the Standard
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Strengths	Reference
Response meets the standard criteria.	Pages 13-14
Concerns and Additional Questions	Reference

STANDARD 7 OF APPLICATION: ENROLLMENT CRITERIA AND PROCEDURES

The Enrollment Criteria and Procedures section should describe how the school will attract and enroll its student body, including any criteria for admission and enrollment. Applicants must also provide assurances for a random lottery selection process.

Evaluation Criteria:

A response that meets the standard will present:

- A student recruitment plan that will provide equal opportunity for all parents and students to learn about and apply to the school;
- An enrollment and admissions process that is open, fair and in accordance with applicable law; and
- A process for, and a guarantee of, a random, anonymous lottery process should there be more student applications than can be accommodated under the terms of the charter.

Does Not Meet the Standard	Partially Meets the Standard	Meets the Standard
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Strengths		Reference
Response meets the standard criteria.		Page 14-15
Concerns and Additional Questions		Reference

STANDARD 8 OF APPLICATION: STAFFING PLAN

The Staffing Plan section should describe the job duties of the school director and other key personnel. This section should also describe the professional standards to which all employees will be held.

Evaluation Criteria:

A response that meets the standard will present:

- A job description for the school director and other key personnel, including but not limited to an operations director, board members, teachers, etc.;
- An outline of the professional qualifications required for administrators, teachers, counselors, etc; and
- A staffing plan that clearly outlines both the types and numbers of positions to be filled at the school and salary scales for such positions.

Does Not Meet the Standard	Partially Meets the Standard	Meets the Standard
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Strengths		Reference
Concerns and Additional Questions		Reference
Application does not address the professional qualifications required for any position. It does not provide a staffing plan that clearly outlines both the types and numbers of positions or a job description for key personnel. The application did not include a proposed salary scale for the 2010-2011 school year, which would be the first year of operation for the charter school.		Pages 15-16, 36-37

STANDARD 9 OF APPLICATION: STUDENT SERVICES

The Student Services section should describe how the school will address services for its student body.

Evaluation Criteria:

A response that meets the standard will present:

- A guidance program that will serve all students;
- A health services program that will serve all students;
- A plan for a media center for use by all students;
- A transportation plan that will serve all eligible students;
- A food service plan that will serve all eligible students;
- Sound plans for educating special education students that reflect the full range of programs and services required to provide such students with a high quality education;
- An alternative education plan for eligible students, including those determined to be at-risk, or those that are bilingual or have limited English proficiency; and
- Plans for a gifted and talented program for eligible students.

Does Not Meet the Standard	Partially Meets the Standard	Meets the Standard
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Strengths		Reference
Response meets the standard criteria.		Page 17
Concerns and Additional Questions		Reference
Please clarify how student services are currently being met. Please clarify that the school will participate in the USDA NSLP, and that the child nutrition program will be administered at the district level, or provide a more detailed plan and budget if the district will not be administering the program.		

STANDARD 10 OF APPLICATION: ARKANSAS PUBLIC SCHOOL COMPUTER NETWORK ASSURANCES

The Arkansas Public School Computer Network (APSCN) Assurances section should provide documentation of the applicant's understanding of and participation in the required state educational data reporting system.

Evaluation Criteria:

A response that meets the standard will present:

- Assurance that the charter school will comply with all state statutory requirements regarding the APSCN educational data reporting system.

Does Not Meet the Standard	Partially Meets the Standard	Meets the Standard
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Strengths		Reference
Response meets the standard criteria.		Page 17
Concerns and Additional Questions		Reference

STANDARD 11 OF APPLICATION: FACILITIES

The Facilities section should provide an understanding of the school's anticipated facilities needs and how the school plans to meet those needs.

Evaluation Criteria:

A response that meets the standard will present:

- An informed understanding of the facility needs of the school over the term of its charter.
- A realistic plan for securing a facility that is appropriate and adequate for the school's program and targeted population.
- Evidence that the school understands the costs of securing and improving a facility and has access to the necessary resources to fund the facility plan.
- A sound plan for continued operation, maintenance and repair of the facility.

For schools that will be using district-owned facilities, a response that meets the standard will present:

- Documentation that the school district and school are in agreement over the use of the facility and its equipment.

For schools that will NOT be using district-owned facilities, a response that meets the standard will present:

- Documentation that the property owner and school are in agreement over the use of the facility and its equipment;
- A statement of the facilities' compliance with applicable codes; and
- A detailed outline of any relationships between the property owner and:
 - members of the local board of the public school district where the charter school will be located;
 - the employees of the public school district where the charter school will be located;
 - the sponsor of the charter school; and
 - employees, directors and/or administrators of the charter school.

Does Not Meet the Standard	Partially Meets the Standard	Meets the Standard
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Strengths	Reference
Response meets the standard criteria.	Pages 17-18, 43
Charter School Site Visit Report Provided by the Division of Public School Academic Facilities and Transportation - Please refer to attachment 1.	
Legal Comments	
The facilities will have to be inspected by the Division of Public School Academic Facilities and Transportation prior to any State Board of Education action on the application. The facilities must comply with all requirements with the Americans with Disabilities Act and the Individuals with Disabilities Education Act, as well as complying with all applicable state and local health and safety codes.	

STANDARD 12 OF APPLICATION: WAIVERS

The Waivers section should provide describe any waiver from local or state law for which the charter is seeking.

Evaluation Criteria:

A response that meets the standard will present:

- A persuasive explanation of any waiver requests; and
- A compelling description of how the school will address any waivers.

Does Not Meet the Standard	Partially Meets the Standard	Meets the Standard
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Strengths	Reference
Concerns and Additional Questions	Reference
Requesting a waiver for media services is in conflict with the response in "standard 9" indicating that the school will continue all student services, including media center.	Pages 18-19
Legal Comments	
a.) Ark. Code Ann. §§ 6-15-1004, 6-17-401 and 6-17-902: <ul style="list-style-type: none">• The State Board may waive the teacher certification requirement. However, the Board may not waive the requirements that charter school teachers have a bachelor's degree and meet content knowledge requirements <u>if they teach core subjects</u>.• The ADE Rule Governing the Arkansas Comprehensive Testing, Assessment and Accountability Program, Sections 5.02.4 and 5.03.2, requires that standardized assessments be administered according to procedures established by the ADE. The ADE's procedures require that certified teachers administer the standardized assessments. Violations of such procedures are subject to sanctions by the State Board pursuant to Ark. Code Ann. § 6-15-438.• All teachers and school personnel must submit to criminal background and central registry checks.	

STANDARD 13 OF APPLICATION: DESEGREGATION ASSURANCES

The Desegregation Assurances section should describe the applicant's understanding of applicable statutory and regulatory obligations to create and maintain a unitary system of desegregated public schools.

Evaluation Criteria:

A response that meets the standard will present:

- Assurance that the charter school will comply with all applicable federal and state statutory and regulatory requirements regarding the creation and maintenance of desegregated public schools; and
- An outline of the potential impact of the proposed charter school on those desegregation efforts already in place in affected public school districts.

Does Not Meet the Standard	Partially Meets the Standard	Meets the Standard
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Strengths	Reference
Response meets the standard criteria.	Page 20
Concerns and Additional Questions	Reference

STANDARD 14 OF APPLICATION: PARENTAL INVOLVEMENT

The Parental Involvement section should describe how parents or guardians of enrolled students will make a positive impact on the school and its educational program.

Evaluation Criteria:

A response that meets the standard will present:

- A plan for involving parents and guardians in the school's education programs.

Does Not Meet the Standard	Partially Meets the Standard	Meets the Standard
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Strengths	Reference
Concerns and Additional Questions	Reference
A plan for involving parents and guardians in the school's education programs is not addressed in the standard.	Pages 20-21

ADDITIONAL COMMENTS:

APPLICATION: It is unclear as to the reason the applicant would require a charter to accomplish the mission and goals for the proposed educational program. It is unclear as to what the school will offer differently as a charter school.

BUDGET: The budget identifies personnel positions by type and number in the budget, however this information is not included in Standard 8.

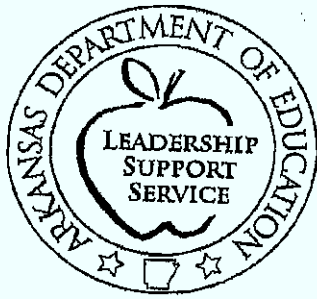
The applicant mistakenly listed the total revenue generated by the calculation of State Foundation Funding as \$3,779.69 which is the amount per student. Based on a projected 191 students, the amount generated would be \$725,740.79. The correct amount, however, is included in the sum for Total Revenues.

The budget has an incorrect subtotal in Expenditures under Administration. The subtotal is listed as \$153,181. The correct subtotal for the projected expenditures in this area is only \$138,182.

The budget has an incorrect subtotal in Expenditures under Regular Classroom Instruction. The subtotal is listed as \$804,655. The correct subtotal for the projected expenditures in this area is only \$834,655.

The budget has an incorrect subtotal in Expenditures under Health Services. The subtotal is listed as \$27,255. The correct subtotal for the projected expenditures in this area is only \$27,235.

The budget included revenue from Charter School Startup in the amount of \$450,000 that is not guaranteed. This is a grant for which the applicant can apply only after the charter is approved. The grant application must undergo a committee review prior to being awarded.



ARKANSAS DEPARTMENT OF EDUCATION

CHARTER SCHOOL OPERATIONS AND MAINTENANCE COMPLIANCE REPORT

LEA/Report # _____ School Name: Harris Elementary School, PCSSD Date 11/18/2009

Address 4424 Highway 161 North, North Little Rock, AR Phone _____

Director _____ E-Mail _____

School Contact (Name/Position) Gary Beck, Facilities Director Phone _____

Facility is: _____ Proposed ☒ Existing _____ New Construction _____

Required Inspections and Staff Training

1. Maintenance Procedures Manual _____
2. Training Manual _____
3. Fire Extinguishers Serviced Annually _____
4. Fire Extinguishers Inspected Monthly _____
5. Fire and Safety Inspection Performed Semi-Annually by Fire Marshall _____
6. Fire Alarm System tested/inspected annually _____
7. Fire Drills Performed Monthly _____
8. Natural Gas Distribution System Inspected Annually _____
9. RPZ Valves Inspected Annually _____
10. Asbestos Surveillance up to Date _____
11. MSDS Sheets up to Date and Accessible _____
12. Hot Water Boiler/Heater _____

Action Items (Follow-Up Required)

1. _____
2. _____
3. _____
4. _____

Specific Building Information

Form Building Name and LEA # Harris Science and Health Elem. Charter 2. Grade Configuration K-5

3. Facility Built Date (including additions): 1954-69 4. Walk-thru of facility conducted: YES

5. Items Checked:

<input checked="" type="checkbox"/> HVAC System	<input checked="" type="checkbox"/> Roofs
<input checked="" type="checkbox"/> Exit Lights	<input checked="" type="checkbox"/> Plumbing/ ADA Compliance
<input type="checkbox"/> Hot Water Boilers & Heaters	<input checked="" type="checkbox"/> Electrical System
<input type="checkbox"/> Doors/Windows	<input type="checkbox"/> Interior / Exterior Lighting
<input checked="" type="checkbox"/> Emergency Lighting	<input checked="" type="checkbox"/> Floor Coverings
<input checked="" type="checkbox"/> Grounds Maintenance	<input checked="" type="checkbox"/> Fire Extinguishers
<input checked="" type="checkbox"/> Kitchen Equipment	<input checked="" type="checkbox"/> Fire Alarm
<input checked="" type="checkbox"/> Playground Equip.	<input type="checkbox"/> Stairwells
<input type="checkbox"/> Fire Sprinkler Systems	<input type="checkbox"/> Athletic Field Maintenance
<input type="checkbox"/> Elevators & Wheelchair Lifts	<input checked="" type="checkbox"/> Kitchen Hood Vent Suppression System
<input type="checkbox"/> Interior / Exterior Finishes	<input type="checkbox"/> Masonry & Concrete Building Exteriors
<input type="checkbox"/> Sidewalks, Driveways, Parking Areas, & Paved Play Areas	
<input checked="" type="checkbox"/> Marked Parking Lots, ADA Compliance, Fire Lanes, Bus / Car Unloading Areas	
<input checked="" type="checkbox"/> Food Service	Full service cafeteria

6. Building Comments: The Head Start Building does not have a fire alarm. Also, there is a drainage issue in this building at the south entrance where the grading of the site slopes toward the door.

7. Custodial (include equipment and storage):

<input checked="" type="checkbox"/> Storage Closets	<input checked="" type="checkbox"/> Restrooms
<input checked="" type="checkbox"/> Hallways/Classrooms/Offices	<input checked="" type="checkbox"/> Gymnasiums/Locker Rooms

Custodial Comments: Reasonably clean and without odors.

Summary of the General Condition of the Facility: Good, considering it's age.

Action Items (Follow-up required):

1. Connect Head Start building to the campus fire alarm system. Provide documentation via CMMS work order
2. Correct drainage issue at Head Start building south entrance. Provide documentation via CMMS work order.

3. _____

4. _____

5. _____

(Add additional pages, if necessary)

All observations are external. No performance tests were conducted. Any observations noted were reported to District personnel.

D.P.S.A.F.T. Representative: Terry Granderson Position: Senior Project Manager

School Representative: _____ Position: _____

Comments _____

Distribution: Charter School Office DPSAFT Project File

Application Cycle 2010

Response to Evaluation

Harris Science and Health Elementary Charter



Pulaski County Special School District

Office of the Superintendent

Rob McGill, Acting Superintendent
Linda G. Paladino, Executive Assistant

December 11, 2009

Dr. Mary Ann D. Brown
Charter School Program Director
Arkansas Department of Education
Four Capitol Mall
Little Rock, AR 72201

Dear Dr. Brown,

On behalf of Pulaski County School District and the proposed Star and Harris charter schools, thank you for your evaluations. Your insight and evaluation of the applications is appreciated.

Attached you will find the responses to the questions and comments. Should you have further questions, please do not hesitate to contact us. We appreciate your thoroughness.

Respectfully submitted,

A handwritten signature in cursive script that reads "Deborah".

Deborah Y. McAfee, Ed D
Director of Grants Administration

RECEIVED
DEC 14 2009

CHARTER SCHOOL OFFICE

Harris Science and Health Elementary Charter

Written Responses to Evaluation

Part 1: Pre-Application Materials

Part 2: Required Information

RECEIVED
DEC 14 2009

Standards 1 of Application: Public Hearing Results

CHARTER SCHOOL OFFICE

Standards 2 of Application: Mission Statement-Revisions

Harris Science and Health Elementary Charter is designated as an Arkansas Reading First and a NASA Explorer Alumni School. The Harris faculty and staff are committed to maximizing every student's cognitive and physical potential by implementing a standards-based curriculum and instruction strategies with explicit instruction in Technology, Character, Science, Health and Physical Education. Student growth will be measured daily through classroom participation and yearly advancement in test scores.

Standard 3 of Application: Educational Need-Revisions

Pulaski County Special School District has approximately 17,568 students currently enrolled in kindergarten through twelfth grades. According to data released by the Office of Research Management (ORME) at the University of Arkansas, Harris Elementary School is gaining ground in respect to student achievement and test scores, but as noted below, not at a commendable pace.

Third Grade Benchmark for Mathematics/Literacy, Spring 2008/2009

	Below Basic	Basic	Proficient	Advanced
2008 Math	21%	47%	21%	11%
2009 Math	13%	34%	29%	24%
2008 Reading	53%	11%	37%	0%
2009 Reading	29%	29%	24%	18%

Fourth Grade Benchmark for Mathematics/Literacy, Spring 2008/2009

	Below Basic	Basic	Proficient	Advanced
2008 Math	50%	20%	18%	13%
2009 Math	26%	26%	37%	11%
2008 Reading	20%	53%	23%	5%
2009 Reading	32%	26%	26%	16%

Fifth Grade Benchmark for Mathematics/Literacy, Spring 2009

	Below Basic	Basic	Proficient	Advanced
2008 Math	44%	31%	19%	6%
2009 Math	42%	16%	23%	19%
2008 Reading	28%	50%	19%	3%
2009 Reading	19%	32%	32%	16%

Harris Elementary is teaching students that the regular textbook curriculum is not reaching. Pulaski County does not focus test score disparity on a 98% free and reduced lunch rate at Harris, nor does it place emphasis on the low-income area in which the school is located. The staff and administration understand that in this fast-paced world of texting, DVD's, I-Phones and flips, students are relating to hands-on approaches to learning as well as a strong level of inquiry.

Through the *Ready, Set, Science* approach to learning it is evident that many schools and districts are not currently poised to plan and enact a whole-scale systemic shift to support K-5 science. Harris Elementary is! A full immersion within the school regarding health and science will occur by also implementing the Virtual K12 classroom approach to teaching math and science. Upon reviewing test scores from a neighboring school, Vilonia Primary, Harris Elementary is ready to do a hands-on, technology based instruction within its classrooms. Students are not learning through regular classroom instruction therefore another means of learning must be instilled. A K12 individualized learning plan for each and every student is transparent with the K12 curriculum. Although it is not a state adopted curriculum and is normally regarded as a home school program this curriculum revolving around online learning includes teacher support, independent study, rich content delivery, state of the art online lessons with traditional materials including texts, manipulatives and videos. An individualized learning plan will take the child where they are and teach towards the child's strengths, learning styles and aptitudes. It is anticipated that 60% of the math and science classroom instruction will be completed online. Through the K12 online curriculum students may excel or be remediated at their own pace. The teacher is there to guide and encourage, with daily evaluations being provided on what the child worked on. In a community where technology is stressed and education is not, this style of learning simply "fits." Each lesson is followed by assessments that must be mastered before a student may progress. With laptops and interactive white boards, the teacher will hold the child's attention and interest while engaging the child in learning.

One strong aspect of the K12 Math program is it requires mastery of skills with critical thinking and problem solving. The regular practice and review within each lesson assures mastery of basic skills. The Science curriculum develops important reasoning skills while developing reading and writing skills. It is a systematic, multi-sensory course that allows the students to analyze, compare and contrast continually.

K12 is based out of McLean, Virginia with a state office located in Little Rock. This office will provide all professional development during the charter schools existence. K12 boasts that while "employing interactive whiteboards, small group online activities, and printed and offline materials, their programs are proven to engage 30 unique minds and deliver results."

With *Ready, Set, Science*, *PE4Life* and its built in *SPARKS* program and the *K12 Virtual School* curriculum Harris Elementary is fitted for success. Harris Elementary will enhance and expand the educational options currently available to its student population.

Standard 4 of Application: Educational Program-Revised

The school schedules for 2010-2011 will follow the same schedule as 2009-2010. Within Harris Science and Health Elementary School there is little, if any, growth in staff therefore the schedule may be maintained yearly.

After thorough inquiry it may be noted that no other elementary school within the state has total science and health immersion. Harris desires to "take the lead" in this respect. The adoption of the K12 virtual curriculum is not a state adopted curriculum as it is notably a home schooling curriculum. Based on national reviews of the K12 program, the success within the Vilonia charter school, a thorough review of the program and the demographics of the Harris community this curriculum seems ideal. A charter school will allow the curriculum to be fully implemented. The virtual curriculum does align with the Arkansas Department of Education's content standards, benchmarks and performance standards.

Standard 5 of Application: Academic Achievement Goals-Revised

The K12 mathematics program presents students and teachers with specific goals in mathematics and mathematics reasoning. It is scientifically research-based and proven to build students' mathematical knowledge from the basics to higher-order thinking and critical problem solving. The goal of Harris to implement a mathematics program to keep all students engaged while learning at their own specific pace. The transfer of knowledge regarding concepts in math is strategic. Daily activities and ongoing routines will be a joy with a hands-on approach to teaching. With on-going assessments the teacher is continually "in the know" regarding each child's progress. Minute-math is perfect for kindergarten as it provides brief activities for transition times and for spare moments through-out the day. First-rate math and science skills are essential for success. An excellent math education teaches children to think. Students within the charter will be taught to think logically.

Specific mathematic program goals for mastery include:

Number Numeration

- Rote counting
- Rational counting
- Place value notation
- Meanings and uses of fractions
- Number theory
- Understand equivalent names for numbers
- Equivalent names for whole numbers
- Equivalent names for fractions, decimals and percents
- Understand common numerical relations
- Compare and ordering numbers

Operations and Computation

- Addition and subtraction facts
- Addition and subtraction procedures
- Multiplication and division facts

- Multiplication and division procedures
- Procedures for addition and subtraction of fractions
- Procedures for multiplication and division of fractions
- Make reasonable estimates
- Computational estimates
- Understand meanings of operations
- Models for the operations
- Data and Chance
 - Select and create appropriate graphical representations of collected or given data
 - Data collection and representation
 - Analyze and interpret data
 - Data analysis
 - Understand and apply basic concepts of probability
 - Qualitative probability
 - Quantitative probability
- Measurement and Reference Frames
 - Understand the systems and processes of measurement
 - Use appropriate techniques, tools, units and formulas in making measurements
 - Length, weight, angles
 - Area, perimeter, volume, and capacity
 - Units and systems of measurement
 - Money
 - Use and understand reference frames
 - Temperature
 - Time
 - Coordinate systems
- Geometry
 - Investigate characteristics and properties of two and three dimensional geometric shapes
 - Lines and angles
 - Plane and solid figures
 - Transformations and symmetry
- Patterns, functions and algebra
 - Understand patterns and functions
 - Algebraic notation and solving number sentences
 - Order of operations
 - Properties of the arithmetic operations

The ability to reason and draw conclusions, to teach logically sound decision making and the drawing of inferences will be a critical part of the math concepts, goals and objectives being instilled in students.

Reading is essential. It is the process by which students gain information and ideas from a host of materials. The *goals* of Harris Science and Health are for all students to read with understanding and fluency. This will be accomplished through the applying of word analysis and vocabulary skills to comprehend selections, to apply reading strategies to improve understanding and fluency and to comprehend a broad range of reading materials. Understanding strategies for constructing meaning before, during and after reading will help students connect what they read now with what they have learned in the past. Students who read well build a strong foundation for learning in all areas of life.

Reading comprehension is a critical piece of all school curriculums. The capacity for understanding fully the meaning of written and printed material is essential. Identifying words on a page does not make someone a successful reader. When the words are understood and transcend the pages to become thoughts and ideas then reading takes place. Students of Harris will have the capacity for understanding those thoughts and ideas. Through the structural analysis and contextual clues to identify unknown vocabulary words, by using dictionaries for unknown words, to learn to read more critically and ask questions while you read, to summarize or outline main points and supporting detail, through rereading the material or by doing a "think aloud" and/or try to explain what you've read to someone else comprehension and understanding may be reinforced. This is the strategy and goal of Harris, to make each and every student an advanced reader and to become an active, effective reader. Students must have techniques to use when experiencing difficulties in reading.

Standard 6 of Application: Curriculum Development and Alignment

Standard 7 of Application: Enrollment Criteria and Procedures

Standard 8 of Application: Staffing Plan-Revised

As Pulaski County School District ratifies its 2009-2010 salary schedules, a 2010-2011 schedule has not been solidified. Thus the 2009 salary schedule being submitted.

School Principal:

The School Principal of Harris Charter will hold a degree and an administrative license. This person will be highly qualified to serve in this capacity and will model the school's philosophy. The Principal's primary responsibility is to spearhead the implementation of all programs outlined and ensure that the school is reaching its goals and mission: academic achievement of every student. The Principal will provide instructional leadership for Harris staff. This person will work with K12 Virtual Academy curriculum consultants and Deputy Director June Elliott in the areas of curriculum planning, review and implementation, and in professional development. The principal is responsible for building administration and the safety and welfare of the students and staff.

Other Duties:

- a. Established, monitors and revises schedules
- b. Provides supervision to students
- c. Supervises extra-curricular and elective activities
- d. Evaluates instructors
- e. Provides professional development opportunities for building personnel
- f. Manages the school budget
- g. Establishes and meets with the school teams to monitor implementation for the school program
- h. Implements policies and procedures established in the approved Harris Charter, by the Pulaski County Special School District Board and the Arkansas Department of Education
- i. Develops and maintains a communication plan to build relationships with parents, parent groups and the community
- j. Provides every available means to ensure students do not drop-out of school.

Counselor:

The Counselor will hold a degree, which meets state requirements. The primary responsibilities of the counselor are to advise students with social interactions and character education; provide a comprehensive guidance program for students; provide and coordinate the support services for students and their families.

Literacy Specialists/GT Facilitator

The Literacy Specialist engages children in strengthening their personal literacy strategies. This professional holds both classroom instruction as well as individualized instruction. They will also provide professional development to strengthen instructional strategies in literacy including differentiated instruction; model research-based, best-teaching methodologies; monitor student progress in literacy; and ensure students are provided challenge and rigor.

Math Specialists/GT Facilitator

The Math Specialists engages children in strengthening their personal mathematical strategies. This professional holds both classroom instruction as well as individualized instruction. They will also provide professional development to strengthen instructional strategies in math including differentiated instruction; model research-based, best teaching methodologies; oversee student progress in math; and ensure students are provided challenge and rigor.

Instructors

Harris Science and Math Charter will strive to employ certified personnel only with teacher certification in their select areas. Harris Charter will employ only highly qualified instructors with exceptional qualities in training, experience and teaching ability.

The primary responsibility of the instructor is to lead students toward the fulfillment of their potential for intellectual, emotional and psychological growth and maturation and to enhance academic achievement. Other duties and responsibilities include the following:

- Focuses on student achievement through quality instruction
- Assesses the academic progress of students on a regular basis
- Reports student academic progress to administration, students and parents by traditional (report cards) and/or non-traditional (on-line) methods.
- Implements policies, rules and guidelines of the charter, the Pulaski County Special School District Board of Education and the Arkansas Department of Education
- Cooperates with other members of the staff in planning instructional goals, objectives and methods
- Establishes and maintains communication with students and parents
- Other duties assigned

Special Education Instructors

The primary responsibility of the special education instructor is to ensure that every student is meeting or is on target to meet goals outlined by the Individual Education Plan of each identified student. Modification of the curriculum will be a major responsibility of this instructor, along with completing IEP's and conducting required conferences for each child in order to comply with due process as required by law. All other duties of instructors as outlined above will apply to the Special Education Instructor.

The staff of Harris Science and Health Charter will consist of:

- | | |
|-------------------------|--------------------|
| • Principal | (1.0FTE) |
| • Dean of Students | (1.0FTE) |
| • Counselor | (.75FTE) |
| • Literacy Specialist | (1.0FTE) |
| • Math Specialist | (1.0FTE) |
| • Instructors | (11.0FTE) |
| • Para-Professionals | (3.0FTE) |
| • Librarian | (.50FTE) |
| • Gifted and Talented | (.20FTE) grade K-2 |
| • Gifted and Talented | (.20FTE) grade 3-5 |
| • Science Instructor | (1.0FTE) |
| • Custodian | (2.0FTE) |
| • Secretary | (1.0FTE) |
| • Bookkeeper | (1.0FTE) |
| • Home School Counselor | (1.0FTE) |

The classroom teacher job description is attached as the last page of these revisions. Each classroom teacher must have one or more of the following certificate requirements to qualify for a position: standard 5 year, provisional, provisional-non renewable, provisional one year, reciprocity, standard 10 year, provisional secondary, standard 6 year, non-traditional, 1 year non-renewable, 1 year renewable, 6 month letter, initial three year or lifetime.

Standard 9 of Application: Student Services

The current Harris Elementary School maintains complete staffing. Student services are being met by certified personnel regarding classroom teaching, Science instruction, librarian, nurse, para-professionals, literacy coach counselor, custodian, math coach, home school counselor, Dean of Students, Principal, bookkeeper, secretary, art and music instructors are each currently in place within the school.

Harris Science and Health Elementary Charter will participate in the USDA, National School Lunch Program with the child nutrition program being administered at the district level.

Standard 10 of Application: Arkansas Public School Computer Network Assurances

Standard 11 of Application: Facilities

The facility has been inspected by the Division of Public School Academic Facilities and Transportation.

Standard 12 of Application: Waivers

All educators within Harris Science and Health Elementary Charter will hold a minimum of a bachelor's degree. This waiver was included as a precaution if core subject teachers were not available.

All teachers and school personnel will submit to criminal background and central registry checks as required by law.

Standard 13 of Application: Desegregation Assurances

Standard 14 of Application: Parental Involvement-Revised

Harris Charter understands the significance of parent involvement for a student's academic success. Parents will be involved within the school and their child's education through:

***Parenting classes-**

- Assisting the parents to know how to help their child at home to reinforce classroom learning
- Parent education, GED and family literacy materials or classes will be offered
- Family support groups that assist families with health, nutrition and other services will be made available
- Home visits by the home school counselor

***Communication-**

- School to home and home to school communications
- Conferences with parents twice a year will be held
- Language translators will be available as needed
- Notices, memos, newsletters, phone calls and marquee sign will be used to communicate information

Volunteering-

- Harris will recruit and organize parent help and support
- District PAL (Partners in Learning) business partnerships will be developed
- District PIE (Parents in Education) volunteer program will be developed
- Parent room for volunteer work, meetings and resources will be established
- Parent survey of talents and expertise will be sent home with students

Learning at Home-

- Families will be provided information and ideas on how to help their child at home with homework and other curriculum-related activities, decisions and planning.
- Information on homework policies and how to monitor and discuss schoolwork at home.
- Harris parents will participate in learning how to assist their child in setting goals

Decision Making-

- Parents will be included in school decisions, developing parent leaders and representatives
- An active PTO will be developed at Harris
- A network to link all families with students attending Harris will be developed
- A network to link all community members with students attending Harris will be developed

Collaborating With Community-

- Harris will identify and integrate resources and services from the community to strengthen school programs, family practices and student learning and development.
- Information for students and families on community health, cultural, recreational, social support and other services will be shared.
- Information on community activities that link to learning skills and talents, including summer programs for students will be disseminated.

CORRECTED
Public Charter School Application
Budget Worksheet/Template

Line#	<u>Revenues</u>	<u>Amount</u>	<u>Total</u>
1	State Public Charter School Aid:		
2	No. of Students 191 x \$3,799.69 State Funding Foundation		
3			\$725,741
4	Total State Charter School Aid \$450,000		\$450,000
5			
6	Other Sources of Revenues:		
7	Private Donations or Gifts		
8	Federal Grants (List the amount)		
9	Special Grants (List the amount)		
10	Other (Specifically Describe)		
11			
12			
13	Total Other Sources of Revenues		
14			0.00
15	TOTAL REVENUES		\$1,175,741
16			
17	<u>Expenditures</u>	<u>Amount</u>	<u>Total</u>
18			
19	Administration:		
20	Salaries: (No. of Positions <u>1</u>)	\$85,743	
21	Fringe Benefits	\$27,438	
22	Purchased Services	\$20,000	
23	Supplies and Materials	\$ 5,000	
24	Equipment		
25	Other (Describe)		\$138,182
26			
27	Regular Classroom Instruction:		
28	Salaries: (No. of Positions <u>12</u>)	\$396,330	
29	Fringe Benefits	\$126,825	
30	Purchased Services		
31	Supplies and Materials	\$ 86,000	
32	Equipment	\$225,500	
33	Other (Describe)		\$834,655

34

(Budget Continued)

35 Special Education:

36	Salaries: (No. of Positions <u> </u>)	<u>\$36,030</u>	
37	Fringe Benefits	<u>\$11,529</u>	
38	Purchased Services	<u> </u>	
39	Supplies and Materials	<u> </u>	
40	Equipment	<u>\$14,200</u>	
41	Other (Describe)	<u> </u>	<u>\$61,759</u>
42			

43 Gifted and Talented Program:

44	Salaries: (No. of Positions <u> 1 </u>)	<u>\$11,683</u>	
45	Fringe Benefits	<u>\$ 3,738</u>	
46	Purchased Services	<u> </u>	
47	Supplies and Materials	<u>\$4,000</u>	
48	Equipment	<u>\$4,600</u>	
49	Other (Describe)	<u> </u>	<u>\$24,021</u>
50			

51 Alternative Education Program:

52	Salaries: (No. of Positions <u> 1 </u>)	<u>\$74,871</u>	
53	Fringe Benefits	<u>\$23,958</u>	
54	Purchased Services	<u> </u>	
55	Supplies and Materials	<u>\$10,000</u>	
56	Equipment	<u> </u>	
57	Other (Describe)	<u> </u>	<u>\$108,829</u>
58			

59 Guidance Services:

60	Salaries: (No. of Positions <u> .60 </u>)	<u>\$29,544</u>	
61	Fringe Benefits	<u>\$ 9,454</u>	
62	Purchased Services	<u> </u>	
63	Supplies and Materials	<u>\$3,000</u>	
64	Equipment	<u>\$4,600</u>	
65	Other (Describe)	<u> </u>	<u>\$46,598</u>
66			

67 Health Services:

68	Salaries: (No. of Positions <u> .40 </u>)	<u>\$15,269</u>	
69	Fringe Benefits	<u>\$ 4,866</u>	
70	Purchased Services	<u> </u>	
71	Supplies and Materials	<u>\$2,500</u>	
72	Equipment	<u>\$4,600</u>	
73	Other (Describe)	<u> </u>	<u>\$27,235</u>

74

(Budget Continued)

75 Media Services:

76	Salaries: (No. of Positions <u>.40</u>)	<u>\$19,368</u>	
77	Fringe Benefits	<u>\$ 6,197</u>	
78	Purchased Services	<u>\$ 4,500</u>	
79	Supplies and Materials	<u>\$20,000</u>	
80	Equipment	<u>\$10,500</u>	
81	Other (Describe)		
82			<u>\$60,565</u>

83 Fiscal Services:

84	Salaries: (No. of Positions <u> </u>)		
85	Fringe Benefits		
86	Purchased Services		
87	Supplies and Materials		
88	Equipment		
89	Other (Describe)		
90			<u>\$0.00-in-kind</u>

91 Maintenance and Operation:

92	Salaries: (No. of Positions <u>1</u>)	<u>\$34,352</u>	
93	Fringe Benefits	<u>\$10,992</u>	
94	Purchased Services		
95	Supplies and Materials	<u>\$ 3,000</u>	
96	Equipment	<u>\$11,000</u>	
97	Other (Describe)		
98			<u>\$59,344</u>
99			

100 Pupil Transportation:

101	Salaries: (No. of Positions <u>4</u>)	<u>\$43,602</u>	
102	Fringe Benefits	<u>\$13,952</u>	
103	Purchased Services		
104	Supplies and Materials		
105	Equipment		
106	Other (Describe)		
107			<u>\$57,554</u>

108 Food Services:

109	Salaries: (No. of Positions <u>6</u>)	<u>\$72,069</u>	
110	Fringe Benefits	<u>\$21,474</u>	
111	Purchased Services		
112	Supplies and Materials	<u>\$ 2,000</u>	
113	Equipment		
114	Other (Describe)		
			<u>\$95,543</u>

115

(Budget Continued)

116 Data Processing:

117 Salaries: (No. of Positions .50)\$7,722

118 Fringe Benefits

\$2,471

119 Purchased Services

120 Supplies and Materials

121 Equipment

122 Other (Describe)

123

\$10,193

124 Substitute Personnel:

125 Salaries: (No. of Positions 145@\$65)\$ 9,425

126 Fringe Benefits

\$ 9,425

127

128 If Applicable: Facilities

129 Lease/Purchase (contract for one total
year including facility upgrades:

130 Please list upgrades

131

132 If Applicable: Utilities (contract for one total
year including facility upgrades)133 If Applicable: Insurance (contract for one
total year including facility upgrades):

134 If Applicable: Property Insurance

135 If Applicable: Content Insurance

\$0.00-in-kind

136

137 Debt Expenditures:

138 Other Expenditures:

139 (Describe)

140

141 **TOTAL EXPENDITURES****\$2,709,644**

PULASKI COUNTY SPECIAL SCHOOL DISTRICT**CERTIFIED JOB CLASSIFICATION**

POSITION TITLE: CLASSROOM TEACHER

QUALIFICATIONS: Valid Arkansas teaching certificate

REPORTS TO: Building Principal

JOB GOALS: Implement the educational program for students.

PERFORMANCE RESPONSIBILITIES:

1. Diagnose the achievement level of each student.
2. Plan, prescribe and direct the learning activities of students.
3. Motivate students to learn.
4. Create and maintain an atmosphere conducive to learning in both appearance of instructional station and activities therein.
5. Evaluate progress of students and inform students thereof on a continuous basis.
6. Assist with the counseling of students for their academic, personal, social and career improvement.
7. Implement school or district curricular goals.
8. Ensure that substitutes will have all information necessary for effective instruction.
9. Prepare and follow effective lesson plans.
10. Assist in the development of school and district curriculums.
11. Assist in assessing school and district needs for instructional materials and equipment.
12. Prepare for principal, lists of material and equipment needs for instructional assignment.
13. Inform students of school or district regulations that are pertinent to them.
14. Confer with parents on students progress and attitudes.
15. Supervise students in corridors, in rest rooms, in lunchrooms, on school grounds, etc. in accordance with Board policy. Such supervision that is on an assigned basis should be equitably distributed.
16. Assist in the enforcement of school regulations at all times.
17. Participate in all prescribed inservice programs.
18. Maintain, and make reports on, necessary records for pupil accounting, pupil progress, material and equipment inventories, collection of money, etc.
19. Check attendance and report absences and tardies.
20. Sponsor clubs and activities on an equitable basis.
21. Take responsibility for issued materials and equipment.
22. Know Board of Education policies, Desegregation Plan, district and school guidelines and regulations and adhere to same.
23. Supervise early and late bus students on an equitable assigned basis.
24. Attend faculty meetings.
25. Participate in professional activities that are related to subject area assignment.
26. Keep informed of latest curriculum developments.
27. Other duties as assigned.

TERMS OF EMPLOYMENT:

Salary Range: Teacher Salary Schedule. (Placement depends upon education and experience.)

Length of Contract: 192 days per contract year

Arkansas Department of Education
Emergency Rules Governing the
Arkansas Comprehensive Testing, Assessment and Accountability Program
and the Academic Distress Program
~~December 14, 2009~~

1.0 Regulatory Authority

- 1.01 These Rules shall be known as the Arkansas Department of Education Emergency Rules Governing the Arkansas Comprehensive Testing, Assessment and Accountability Program (ACTAAP).
- 1.02 The State Board of Education promulgated these Rules pursuant to implementation of A.C.A. §§ 6-11-105, 6-15-401 et seq., ~~6-15-431, 6-15-437, 6-15-2009, 25-15-204 and Act 2243 of the 85th Arkansas General Assembly Act 1307 of 2009.~~

2.0 Purposes of Rules

- 2.01 To develop a single comprehensive testing, assessment and accountability program, which applies to and governs all public schools and public school districts in Arkansas.
- 2.02 To develop a single comprehensive testing, assessment and accountability program which utilizes the most current and effective testing, evaluation and assessment research information designed to achieve the following:
 - 2.02.1 Clear academic standards that are periodically reviewed and revised;
 - 2.02.2 Professional development standards for all administrators, teachers and instructional support personnel;
 - 2.02.3 Expected achievement levels;
 - 2.02.4 Reporting on student achievement and other indicators;
 - 2.02.5 School and school district evaluation data;
 - 2.02.6 A system of sanctions and rewards based on performance of schools and school districts; and
 - 2.02.7 Compliance with current federal and state law and State Board of Education policies.
- 2.03 To ensure that all students in the public schools of Arkansas have an equal opportunity to demonstrate grade-level academic proficiency through the application of knowledge and skills in the core academic subjects consistent with state curriculum frameworks, performance standards and assessments.

- 2.04 To improve student learning and classroom instruction and to support high academic standards for all students, including identifiable subgroups, by establishing the provisions, procedures and requirements for the student assessment program.
 - 2.05 To require point-in-time intervention when it is determined that a student(s) is not performing at grade level.
 - 2.06 To outline testing and assessment security and confidentiality requirements.
 - 2.07 To establish a program to identify, evaluate, assist and advise public school districts in academic distress.
- 3.0 Definitions – For the purpose of these Rules, the following terms mean:
- 3.01 "Academic Content Standards" – a series of documents that specify what a student enrolled in an Arkansas Public School should know and be able to do. These Academic Content Standards also provide the foundation for development of the State assessment system.
 - 3.02 "Academic Distress" – a classification assigned to any public school district in which 75% or more of its students perform at the "below basic" performance level on the criterion-referenced assessments administered in that district.
 - 3.03 "Academic Improvement Plan" – a plan detailing supplemental or intervention and remedial instruction, or both, in deficient academic areas for any student who is not proficient on the state-mandated criterion-referenced assessments and state mandated developmental appropriate assessments for K-2 (or delayed as that term is defined in "Uniform Readiness Screening").
 - 3.04 "Adequate Yearly Progress" – the level of academic performance required of public schools or school districts on the state-mandated criterion-referenced assessments and/or other indicators as required in the ACTAAP, which shall comply with State and Federal law.
 - 3.05 "Alternative Education Intervention Program" – A special instructional program for students who have been retained for two consecutive years. The program shall include research-based learning opportunities and instructional strategies.
 - 3.06 "Approved Early Reading Assessments" – Those assessments that identify students' strengths and weaknesses in all of the elements of reading as described in the Report of the National Reading Panel.
 - 3.07 "Approved Intensive Reading Program" – Programs of high-quality instruction that include the essential elements of reading described in the Report of the National Reading Panel.

- 3.08 "Arkansas Comprehensive Assessment Program" – means the testing component of Arkansas Comprehensive, Testing, Assessment and Accountability Program, which shall consist of developmentally appropriate assessments for kindergarten, Grades one and two, national norm-referenced tests in Grades 3 through 9, any other assessments as required by the State Board of Education, criterion-references tests for Grades 3 through 8, or other assessments which are based on researched best practices as determined by qualified experts which would be in compliance with federal and state law, End-of-Course tests for designated grades and content areas, and the high school literacy test.
- 3.09 "Arkansas Comprehensive Testing, Assessment and Accountability Program" – means a comprehensive system that focus on high academic standards, professional development, student assessments, and accountability for all schools.
- 3.10 "Arkansas Comprehensive School Improvement Plan (ACSIP)" – a plan developed by a local school team based on an analysis of student performance data and other relevant data that provides a plan of action to address deficiencies in student performance as evidenced in the Arkansas Comprehensive Assessment Program as defined in Section 3.08. This plan shall be reviewed annually and monitored at least every two years. Components of the plan include professional development, technology, and materials and resources necessary to carry out the activities of the plan. Additionally, this plan shall become the application for all instructional federal programs as administered by the Department of Education.
- 3.11 "Awards" – financial or other recognition of a public school structured to recognize schools that demonstrate and maintain high performance over time and to recognize schools that demonstrate growth on the state-mandated indicators. Awards also can be used to highlight individual schools so that their practices can be adopted in other schools and districts across the state.
- 3.12 "Benchmarks/Grade-Level Benchmarks" – Academic Content Standards and/or grade-level statements of what a student should know and be able to do. The Grade-Level Benchmarks provide guidance to classroom teachers in planning instruction aligned with the Academic Content Standards.
- 3.13 "Board" – The Arkansas State Board of Education.
- 3.14 "Criterion-Referenced Test (CRT)" – an assessment required by state statute, rule or regulation which is designed by the State to measure student performance/achievement on the State's Academic Content Standards.
- 3.15 "Department" – The Arkansas Department of Education.

- 3.16 "District Improvement Plan" – a compilation of the individual school improvement plans which align the district's resources to meet the needs of the individual school's plans. The main focus of the district improvement plan shall be to ensure that all students have an opportunity to demonstrate proficiency on all portions of state-mandated criterion-referenced assessments.
- 3.17 "Early Intervention" – a short-term, intensive, focused individualized instruction developed from ongoing, daily, systemic assessment that occurs while a child is in the initial, kindergarten through grade one (K -1), stages of learning.
- 3.18 "Elementary School" – public school(s) having some combination of grades kindergarten through four (K – 4).
- 3.19 "End-of-Course Exam Test" – an a criterion-referenced assessment taken at upon the successful completion of a course of study to determine whether a student demonstrates, according to a requisite scale score established by rule of the Board, attainment of the necessary knowledge and skills ~~necessary for proficiency in that course.~~
- 3.20 "Essential Elements – Early Reading"
 Comprehension – Understanding and remembering what is read
 Decoding and Word Recognition (Phonics) – Recognizing words accurately, fluently, and independently
 Fluency – Ability to read text accurately, quickly and with expression
 Phonemic Awareness – Ability to hear and manipulate the sound structure of language
 Vocabulary – Words that must be known to communicate effectively
- 3.21 "Grade Level" – performance of a student (or group of students) at the proficient level on benchmark assessments at the specified grade that is age-appropriate for that student(s).
- 3.22 "High School" – public school(s) having some combination of grades 9 – 12.
- 3.23 "Intensive Reading Improvement Plan (IRI)" – An intervention program for any K-2 student identified with substantial reading difficulties.
- 3.24 "Longitudinal Tracking" – means tracking individual student yearly academic achievement gains based on scheduled and annual assessments.
- 3.25 "Middle School" – public school(s) having some combination of grades five through eight (5 – 8).
- 3.26 "Norm-Referenced Test (NRT)" – an assessment required by state law, rule or regulation to measure the performance/achievement of Arkansas students relative to the achievement of students who comprised the norm or standardization group for a particular commercial instrument.

- 3.27 "Participation in Remediation" The amount of student involvement required in a student academic improvement plan that addresses those deficiencies for that student.
- 3.28 "Pass Rate" – The pass rate for the Benchmark Exams and the developmental appropriate assessments for K – 2 shall be proficiency. However, the pass rate for end-of-course and high school literacy shall be those scores established and independently approved by the State Board of Education. (See 6.03 for the proficiency definition)
- 3.29 "Public School District/Public School" – those school districts and schools (including open-enrollment charter schools) created pursuant to Title 6 of the Arkansas Code and subject to the Arkansas Comprehensive Testing, Assessment and Accountability Program except specifically excluding those schools or educational programs created by or receiving authority to exist pursuant to §6-15-501; §9-28-205, and §12-29-301 through §12-29-310, or other provisions of Arkansas law.
- 3.30 "Remediation" – a process of providing corrective, specialized supplemental instruction to help a student overcome academic deficiencies pursuant to their student academic improvement plan.
- 3.31 "Safe Harbor" – An alternate method of demonstrating Adequate Yearly Progress under the No Child Left Behind Act determined by decreasing the percent of students not performing at the proficient level on the Criterion Referenced Assessments by at least ten percent. Safe Harbor can only be applied if the school meets the secondary indicator condition and tests 95% or more of eligible students.
- 3.32 "Sanction" – intervention by the state to assist teaching and learning at a public school or a public school district that fails to meet expected performance goals on the state-mandated criterion-referenced assessments and/or other indicators.
- 3.33 "School Improvement" – the initial classification applied to a school that fails to meet adequate yearly progress for two successive years.
- 3.34 "Starting Point" – a specific figure for grade-level clusters K- 5, 6-8, and 9-12 in the content areas of literacy and mathematics which was derived by determining the school at the 20th percentile in the state based on total enrollment, among all schools ranked by the percentage of students at the proficient level, using data for the 2001-2002 school year or subsequent year for which there is a recalculation.
- 3.35 "Secure Examination or Assessment" – an assessment instrument, materials or other student achievement evaluation method required by State statute, rule or regulation that is administered to assess student performance or achievement and takes place on the dates specified on the testing/assessment calendar developed by the Commissioner of the Department.

- 3.36 "Substantial Reading Deficiency" – a determination for first and second grade students who score in the Below Basic Category on the State Reading Assessment in the previous school year and for kindergarten students who are rated as Delayed in both oral communication and written language on the Uniform Reading Scale (URS).
 - 3.37 "Uniform Readiness Screening" - uniform, objective evaluation procedures specifically formulated for children entering public school for the first time that are intended for either kindergarten or first grade, as appropriate, and developed or adopted by the Board.
 - 3.38 "Value-Added Computations of Student Gains" – statistical analyses of the educational impact of the school's instructional delivery system on individual student learning using a comparison of previous and post student achievement gains.
- 4.0 Academic Content Standards
- 4.01 The Board shall establish clear, specific, challenging academic content standards, which define what students shall know and be able to do in each content area.
 - 4.02 The Board shall establish a schedule for periodic review and revision of academic content standards to ensure Arkansas academic content standards are rigorous and equip students to compete in the global workforce. For each review, the Department will provide the following:
 - 4.02.1 Study and consideration of academic content standards from across the nation and international levels as appropriate;
 - 4.02.2 Study and consideration of evaluations from national groups or organizations as appropriate;
 - 4.02.3 Committees composed of Arkansas teachers and instructional supervisory personnel from public schools, assisted by teachers from institutions of higher education;
 - 4.02.4 Review and input by the Departments of Higher Education and Workforce Education as well as community members; and
 - 4.02.5 Public dissemination of revised academic content standards on the Department Website.
 - 4.03 The Board shall provide for external review of revised standards by nationally recognized content experts in the discipline/area under consideration.
 - 4.04 The Board shall establish a clear, concise system of reporting the academic performance of each school on the state's mandated criterion-

referenced assessments and the norm-referenced assessments, which conform to current state and federal law.

- 4.05 Each local school/school district shall engage in a procedure that will assure that the academic standards for every level - grades kindergarten through twelve (K-12) are aligned and education and financial resources are aligned with student performance expectations at each level.

5.0 Arkansas Comprehensive Assessment Program

The Board shall establish a statewide assessment system for Grades K through 12 to be implemented in each public school in the State by the Department. All districts shall comply with the requirements of the assessment system. Failure to do so shall result in a recommendation to the Board for Probationary status or loss of accreditation as set out in the Standards for Accreditation, or for other intervention or sanction as allowed or required by these rules, state or federal law.

Local district school boards shall not establish school calendars that jeopardize or limit the valid testing and comparison of student learning gains.

5.01 Kindergarten, Grade One and Grade Two

5.01.1 The Board shall adopt and the Department shall implement a developmentally appropriate, uniform school readiness screening to validate a child's school readiness as part of a comprehensive evaluation decision. Beginning with the 2004-2005 school year and thereafter, the Department shall require that all school districts administer the uniform school readiness-screening instrument to each kindergarten student in the district prior to or upon the entry into kindergarten. Children who enter public school for the first time in first grade must be administered the uniform school readiness screening instrument as modified for use in first grade to determine placement.

5.01.2 Kindergarten, Grades 1 and 2: The Department shall select a developmentally appropriate assessment to be administered to all students in kindergarten, Grades one (1) and two (2) in reading and mathematics.

5.02 Criterion-Referenced Tests - Grades three through eight and high school

5.02.1 The Department shall develop and implement criterion-referenced assessments as follows: (1) Grades three (3) through eight (8) which measure application of knowledge and skills in reading and writing literacy and mathematics and science in Grades 5 and 7; (2) End-of-Course testing in Algebra I, geometry and Biology I (Biology begins in 2007-2008); (3) High school literacy that measures application of knowledge and skills in reading and writing literacy; and (4) social studies as funds are available and approved by the State Board of Education.

- 5.02.2 All criterion-referenced assessments shall be based on the Arkansas Curriculum Frameworks and Academic Content Standards.
- 5.02.3 All students in Grades 3 – 8 as well as all students enrolled in courses for which End-of-Course assessments are administered, shall take the criterion-referenced assessments on the testing dates established by the Department. This requirement includes the high school literacy assessment. This authority shall include field testing and any other requirements needed to establish fully-developed assessment instruments and methodologies.
- 5.02.4 Each school district shall administer criterion-referenced assessments to its students according to procedures established by the Commissioner of Education and specified in the applicable assessment administration materials.
- 5.02.5 Accounting for Students with Disabilities and Limited English Proficient Students
 - 5.02.5.1 Each student in the specified grades shall participate as outlined in the test coordinator's handbook. A student shall participate in the Arkansas Alternate Assessment Program only upon the formal determination of :
 - 5.02.5.1.1 The student's individual education program (IEP) committee, as documented in the student's individual educational program; or
 - 5.02.5.2 The Individual Education Program (IEP) committee shall determine whether or not participation in the standard state assessment program is appropriate for students with IEPs. Students with disabilities for whom it is deemed inappropriate to take the standard state assessments (Benchmarks and End-of-Course) with the established accommodations shall participate in the Arkansas Alternate Assessment Program following the guidelines established by the Board.
 - 5.02.5.3 Scores for students with disabilities shall be reported with other assessment results from the school.
 - 5.02.5.4 LEP students shall participate in all required criterion referenced assessments. LEP students may access state approved accommodations provided such accommodations have been recommended by the language proficiency

assessment committee and are used regularly in classroom instruction and assessment.

- 5.02.5.5 LEP students with less than one year in a U.S. school will not be required to take the State required literacy benchmark test or the High school literacy test. Districts may exercise this option. LEP students must take the appropriate mathematics test.

5.03 Norm-Referenced Assessments

- 5.03.1 The Board shall adopt a norm-referenced test to be administered in Grade 3 through Grade 9 in mathematics and reading, which shall be administered by the Department annually.
- 5.03.2 Each school district shall administer the norm-referenced assessments to its students according to procedures established by the Department and specified in the applicable test administration materials.
- 5.03.3 The Department shall establish mandatory training sessions for local district testing coordinators and other appropriate school personnel to ensure understanding of the norm-referenced assessments, proper administration of assessments, security, and effective use of the assessment reporting data to improve classroom instruction and learning.

5.04 National Assessment of Educational Progress

- 5.04.1 Selected schools shall participate in any or all components of the National Assessment of Educational Progress (NAEP).
- 5.04.2 Any school that fails to participate in the administration of any NAEP assessment shall be reported to the Board and may be subject to probationary status as set out in the Standards for Accreditation

5.05 Test Administration

- 5.05.1 The Department shall establish mandatory training sessions for local district testing coordinators and other appropriate school personnel to ensure understanding of the administration of assessments and effective use of assessment reporting data to improve classroom instruction and learning to provide program evaluation;
- 5.05.2 The superintendent or his/her designee in each school district shall be responsible for coordinating all local assessment activities including:

- 5.05.3 Scheduling testing times of all affected campuses according to the testing calendar developed by the Department;
 - 5.05.4 Ensuring that security is maintained as specified in the appropriate testing administration materials;
 - 5.05.5 Ensuring that all district personnel involved in the testing have been properly trained as specified by the Department;
 - 5.05.6 Ensuring that all testing instruments are administered to all students according to the procedures established by the Commissioner of Education;
 - 5.05.7 Ensuring that all assessment documents and student identification information are properly and accurately coded; and
 - 5.05.8 Attesting whether ALL students have participated in the appropriate grade-level assessment(s).
 - 5.05.9 Recommending for adoption by local school boards a school calendar that in no way jeopardizes or limits the valid testing and comparison of students' learning gains.
 - 5.05.10 The appropriate test administration materials shall specify any allowable accommodations available to students participating in the administration of standard state assessments.
 - 5.05.11 All students enrolled in a State-tested grade shall be accounted for in the State Assessment System.
- 5.06 A Technical Advisory Committee composed of nationally-recognized testing experts and psychometricians shall be selected by the Commissioner of Education and shall advise the Department in all technical aspects of the assessment system.
- 5.07 Security and Confidentiality
- 5.07.1 Violation of the security or confidential integrity of any assessment is prohibited.
 - 5.07.2 The Board shall sanction a person who engages in conduct prohibited by this section, as provided under Arkansas Code §6-17-405 and following the Process for Certificate Invalidation as approved by the Board. Additionally, the Board may sanction a school district and/or school in which conduct prohibited in this section occurs.
 - 5.07.3 Procedures for maintaining the security and confidential integrity of all assessment instruments and procedures shall be specified in the appropriate test administration instructions. Conduct that violates the security or confidential integrity of an assessment is

defined as any departure from either the requirements established by the Commissioner of the Department for the administration of the assessment or from the procedures specified in the applicable test administration materials. Conduct of this nature may include, but is not limited to the following acts and omissions:

- 5.07.3.1 Viewing secure assessment materials;
 - 5.07.3.2 Duplicating secure assessment materials;
 - 5.07.3.3 Disclosing the contents of any portion of secure assessment materials;
 - 5.07.3.4 Providing, suggesting, or indicating to an examinee a response or answer to any secure assessment items;
 - 5.07.3.5 Aiding or assisting an examinee with a response or answer to any secure assessment item;
 - 5.07.3.6 Changing or altering any response or answer of an examinee to a secure assessment item;
 - 5.07.3.7 Failing to follow the specified testing procedures or to proctor students;
 - 5.07.3.8 Failing to administer the assessment on the designated testing dates;
 - 5.07.3.9 Encouraging or assisting an individual to engage in the conduct described in this subsection;
 - 5.07.3.10 Failing to report to appropriate authority that an individual has engaged in conduct set forth in this section;
 - 5.07.3.11 Failing to follow the specified procedures and required criteria for alternate assessments; or,
 - 5.07.3.12 Failing to return the secured test booklets back to the testing company in a timely manner.
- 5.07.4 The superintendent of each school district shall develop procedures to ensure the security and confidential integrity of all assessment instruments and test items. The superintendent shall be responsible for immediately notifying the Department in writing of conduct that violates the security or confidential integrity of an examination or assessment.

6.0 Student Performance Levels

- 6.01 The Board shall establish four (4) performance levels for each criterion-referenced assessment administered as part of ACTAAP. The Board shall establish five (5) performance levels for the Alternate Assessment for Students with Disabilities as part of ACTAAP. Those performance levels shall be not evident, emergent, supported independence, functional independence, and independent. Performance levels shall be established for mathematics, reading/language arts and science independently. Additionally, the Board shall establish a pass rate for each end-of-course and high school literacy assessment.
- 6.02 The Board shall establish four (4) performance levels for Grades K-2 for the norm-referenced assessment administered as part of the Arkansas Comprehensive Assessment Program for reading and mathematics. The following numerical scores define those performance levels.

Mathematics Norm Referenced Assessment standard score cut scores*				
Grade	Below Basic	Basic	Proficient	Advanced
K	0-120	121-128	129-136	137-400
1	0-134	135-146	147-159	160-400
2	0-148	149-164	165-181	182-400

*Lowest possible standard score value is 80

Reading Norm-Referenced Assessment standard score cut scores*				
Grade	Below Basic	Basic	Proficient	Advanced
K	0-119	120-127	128-137	138-400
1	0-136	137-145	146-158	159-400
2	0-153	154-165	166-182	183-400

*Lowest possible standard score value is 80

- 6.03 Beginning in the 2009-2010 school year, all students in Grade 9 or below who are in enrolled in Algebra I are required to complete and meet the requisite scale score on the End-of-Course Algebra I Examination in order to receive an academic credit towards graduation. The Board shall establish a requisite scale score of student performance on the End-of-Course Algebra I Examination. The following numerical scores define those performance levels.

End-of-Course Algebra I Pass Scale Score	
Not Pass	Pass
<u>158 and Below</u>	<u>159 and Above</u>

- 6.034 The following numerical scores define the performance levels on the criterion-referenced assessments and on the Students with Disabilities Alternate Assessment for not evident, emergent, supported independence, functional independence and independent. Functional independence and independent are considered to be grade level.

Mathematics Criterion Referenced Assessments (Augmented Benchmark Exams)				
Scale Score Ranges				
Grade	Below Basic	Basic	Proficient	Advanced
3	0 - 408	409 - 499	500 - 585	586 & above
4	0 - 494	495 - 558	559 - 639	640 & above
5	0 - 543	544 - 603	604 - 696	697 & above
6	0 - 568	569 - 640	641 - 721	722 & above
7	0 - 621	622 - 672	673 - 763	764 & above
8	0 - 654	655 - 699	700 - 801	802 & above

Mathematics Criterion Referenced Assessments (Benchmarks)				
raw score points				
Grade	Below Basic	Basic	Proficient	Advanced
3	0 - 22	23 - 39	40 - 56	57 - 80
4	0 - 34	35 - 44	45 - 60	61 - 80
5	0 - 30	31 - 42	43 - 60	61 - 80
6	0 - 29	30 - 45	46 - 60	61 - 80
7	0 - 27	28 - 37	38 - 66	57 - 80
8	0 - 29	30 - 38	39 - 59	60 - 80

Literacy Criterion Referenced Assessments (Augmented Benchmark Exams)				
Scale Score Ranges				
Grade	Below Basic	Basic	Proficient	Advanced
3	0 - 329	330 - 499	500 - 653	654 & above
4	0 - 353	354 - 558	559 - 747	748 & above
5	0 - 381	382 - 603	604 - 798	799 & above
6	0 - 416	417 - 640	641 - 822	823 & above
7	0 - 425	426 - 672	673 - 866	867 & above
8	0 - 506	507 - 699	700 - 913	914 & above

Literacy Criterion Referenced Assessments (Benchmarks)				
raw score points				
Grade	Below Basic	Basic	Proficient	Advanced
3	0 - 47	48 - 64	65 - 79	80 - 96
4	0 - 41	42 - 63	64 - 79	80 - 96
5	0 - 38	39 - 61	62 - 80	81 - 96
6	0 - 43	44 - 68	69 - 82	83 - 96
7	0 - 42	43 - 64	65 - 79	80 - 96
8	0 - 46	47 - 63	64 - 80	81 - 96

Science Criterion Referenced Assessments (Augmented Benchmark Exams)**Scale Score Ranges**

<u>Grade</u>	<u>Below Basic</u>	<u>Basic</u>	<u>Proficient</u>	<u>Advanced</u>
<u>5</u>	<u>0 - 153</u>	<u>154 - 199</u>	<u>200 - 249</u>	<u>250 & above</u>
<u>7</u>	<u>0 - 151</u>	<u>152 - 199</u>	<u>200 - 249</u>	<u>250 & above</u>

End-of-Course Algebra I**Scale Score Ranges**

<u>Below Basic</u>	<u>Basic</u>	<u>Proficient</u>	<u>Advanced</u>
<u>0 - 151</u>	<u>152 - 199</u>	<u>200 - 249</u>	<u>250 & above</u>

End-of-Course Geometry**Scale Score Ranges**

<u>Below Basic</u>	<u>Basic</u>	<u>Proficient</u>	<u>Advanced</u>
<u>0 - 151</u>	<u>152 - 199</u>	<u>200 - 249</u>	<u>250 & above</u>

End-of-Course Biology**Scale Score Ranges**

<u>Below Basic</u>	<u>Basic</u>	<u>Proficient</u>	<u>Advanced</u>
<u>0 - 145</u>	<u>146 - 199</u>	<u>200 - 249</u>	<u>250 & above</u>

Grade 11 Literacy**Scale Score Ranges**

<u>Below Basic</u>	<u>Basic</u>	<u>Proficient</u>	<u>Advanced</u>
<u>0 - 168</u>	<u>169 - 199</u>	<u>200 - 249</u>	<u>250 & above</u>

Mathematics Alternate Assessment for Students with Disabilities**Scale Score Ranges**

<u>Grade</u>	<u>Not Evident</u>	<u>Emergent</u>	<u>Supported Independence</u>	<u>Functional Independence</u>	<u>Independent</u>
<u>3</u>	<u>520 - 672</u>	<u>673 - 703</u>	<u>704 - 708</u>	<u>709 - 723</u>	<u>724 - 733</u>
<u>4</u>	<u>523 - 673</u>	<u>674 - 707</u>	<u>708 - 712</u>	<u>713 - 721</u>	<u>722 - 736</u>
<u>5</u>	<u>545 - 674</u>	<u>675 - 708</u>	<u>709 - 713</u>	<u>714 - 725</u>	<u>726 - 733</u>
<u>6</u>	<u>535 - 677</u>	<u>678 - 708</u>	<u>709 - 714</u>	<u>715 - 722</u>	<u>723 - 731</u>
<u>7</u>	<u>478 - 675</u>	<u>676 - 705</u>	<u>706 - 713</u>	<u>714 - 720</u>	<u>721 - 731</u>
<u>8</u>	<u>484 - 697</u>	<u>698 - 717</u>	<u>718 - 725</u>	<u>726 - 727</u>	<u>728 - 738</u>

Mathematics Alternate Assessment Students with Disabilities
raw-score points

<u>Grade</u>	<u>Not Evident</u>	<u>Emergent</u>	<u>Supported Independence</u>	<u>Functional Independence</u>	<u>Independent</u>
<u>3</u>	<u>0-434</u>	<u>432-517</u>	<u>518-530</u>	<u>531-573</u>	<u>574-600</u>
<u>4</u>	<u>0-426</u>	<u>427-522</u>	<u>523-535</u>	<u>536-563</u>	<u>564-600</u>
<u>5</u>	<u>0-413</u>	<u>414-523</u>	<u>524-539</u>	<u>540-575</u>	<u>576-600</u>
<u>6</u>	<u>0-437</u>	<u>438-533</u>	<u>534-551</u>	<u>552-573</u>	<u>574-600</u>
<u>7</u>	<u>0-469</u>	<u>470-539</u>	<u>540-559</u>	<u>560-574</u>	<u>575-600</u>
<u>8</u>	<u>0-505</u>	<u>506-552</u>	<u>553-569</u>	<u>570-577</u>	<u>578-600</u>

<u>Literacy Alternate Assessment for Students with Disabilities</u>					
<u>Scale Score Ranges</u>					
<u>Grade</u>	<u>Not Evident</u>	<u>Emergent</u>	<u>Supported Independence</u>	<u>Functional Independence</u>	<u>Independent</u>
<u>3</u>	<u>487 - 663</u>	<u>664 - 685</u>	<u>686 - 710</u>	<u>711 - 730</u>	<u>731 - 734</u>
<u>4</u>	<u>503 - 672</u>	<u>673 - 692</u>	<u>693 - 712</u>	<u>713 - 727</u>	<u>728 - 733</u>
<u>5</u>	<u>545 - 664</u>	<u>665 - 692</u>	<u>693 - 717</u>	<u>718 - 730</u>	<u>731 - 735</u>
<u>6</u>	<u>518 - 637</u>	<u>638 - 684</u>	<u>685 - 709</u>	<u>710 - 721</u>	<u>722 - 732</u>
<u>7</u>	<u>464 - 620</u>	<u>621 - 674</u>	<u>675 - 708</u>	<u>709 - 722</u>	<u>723 - 736</u>
<u>8</u>	<u>442 - 622</u>	<u>623 - 690</u>	<u>691 - 719</u>	<u>720 - 726</u>	<u>727 - 742</u>

Literacy Alternate Assessment Students with Disabilities raw score points					
Grade	Not-Evident	Emergent	Supported Independence	Functional Independence	Independent
3	0-387	388-436	437-490	491-533	534-540
4	0-399	400-447	448-493	494-527	528-540
5	0-340	341-420	421-491	492-527	528-540
6	0-302	303-420	421-486	486-515	516-540
7	0-311	312-420	421-487	488-513	514-540
8	0-327	328-448	449-501	502-514	515-540
End of Course Geometry				End of Course Algebra I	
Performance Standards			Performance Standards		
Advanced		250 & above	Advanced		250 & above
Proficient		200—249	Proficient		200-249
Basic		154-199	Basic		151-199
Below-Basic		153 & below	Below-Basic		150 & below
Literacy (High school)					
Performance Standards					
Advanced			250 & above		
Proficient			200—249		
Basic			169-199		
Below-Basic			168 & below		

<u>Science Alternate Assessment for Students with Disabilities</u>					
<u>Scale Score Ranges</u>					
<u>Grade</u>	<u>Not Evident</u>	<u>Emergent</u>	<u>Supported Independence</u>	<u>Functional Independence</u>	<u>Independent</u>
<u>5</u>	<u>563 - 700</u>	<u>701 - 718</u>	<u>719 - 723</u>	<u>724 - 730</u>	<u>731 - 736</u>
<u>7</u>	<u>490 - 670</u>	<u>671 - 688</u>	<u>689 - 705</u>	<u>706 - 720</u>	<u>721 - 733</u>

<u>Grade 9 Mathematics Alternate Assessment for Students with Disabilities</u>				
<u>Scale Score Ranges</u>				
<u>Not Evident</u>	<u>Emergent</u>	<u>Supported Independence</u>	<u>Functional Independence</u>	<u>Independent</u>
<u>0 - 99</u>	<u>100 -149</u>	<u>150 -199</u>	<u>200 - 249</u>	<u>250 - 300</u>

<u>Grade 11 Literacy Alternate Assessment for Students with Disabilities</u>				
<u>Scale Score Ranges</u>				
<u>Not Evident</u>	<u>Emergent</u>	<u>Supported Independence</u>	<u>Functional Independence</u>	<u>Independent</u>
<u>483 - 595</u>	<u>596 - 655</u>	<u>656 - 680</u>	<u>681 - 692</u>	<u>693 - 740</u>

<u>Science Grade 10 Alternate Assessment</u>				
<u>Scale Score Ranges</u>				
<u>Not Evident</u>	<u>Emergent</u>	<u>Supported Independence</u>	<u>Functional Independence</u>	<u>Independent</u>
<u>486 - 600</u>	<u>601 - 664</u>	<u>665 - 692</u>	<u>693 - 715</u>	<u>716 - 742</u>

7.0 Student Accountability

- 7.01 By the year 2013-2014 all students are expected to perform at the proficient level or above.
- 7.02 Beginning with the 2005-2006 school year, a) students identified as failing to achieve at the proficient level on the State 2004-2005 or any subsequent mandated CRT (as referenced in Section 6.03 tables: Mathematics Criterion Referenced Assessments, Benchmarks, raw score points and Literacy Criterion Referenced Assessments, Benchmarks, raw score points, etc.); b) students in Grade K scoring delayed on either written language or oral communications and scoring delayed in mathematics on the state mandated uniform readiness screening (as referenced in Sections 3.36 and 3.37 Uniform Readiness Screening); and c) students in Grades 1 and 2 not scoring proficient on the state mandated NRT (as referenced in Section 6.02 tables, Mathematics Norm Referenced Assessment standard score cut scores and Reading Norm-Referenced Assessment standard score cut scores), shall be evaluated by school personnel, who shall jointly develop, a remediation plan with the student's parents. The remediation plan (AIP or if appropriate IRI) will assist the student in achieving the expected standard and will describe the parent's role and responsibilities as well as the consequences for the student's failure to participate in the plan.
- 7.02.1 The AIP shall be prepared using the format designed by the Department of Education. However, the local school may adjust the format as deemed necessary.
- 7.02.2 The AIP shall be developed cooperatively by appropriate teachers and/or other school personnel knowledgeable about the student's performance or responsible for the remediation in consultation with the student's parents. An analysis of student strengths and deficiencies based on test data and previous student records shall be available for use in developing the Plan. The plan shall be signed by the appropriate school administrator and the parent/guardian.

- 7.02.3 The AIP should be flexible, should contain multiple remediation methods and strategies, and should include an intensive instructional program different from the previous year's regular classroom instructional program. Examples of strategies and methods include, but are not limited to, computer assisted instruction, tutorial, extended year, learning labs within the school day, Saturday school, double blocking instruction in deficient areas during the school day, extended day etc.
- 7.02.4 The AIP shall include formative assessment strategies and shall be revised periodically based on results from the formative assessments.
- 7.02.5 The AIP shall include standards-based supplemental/remedial strategies aligned with the child's deficiencies.
- 7.02.6 A highly qualified teacher and/or a highly qualified paraprofessional under the guidance of a highly qualified teacher shall provide instructional delivery under the AIP.
- 7.02.7 The AIP should contain an implementation timeline that assures the maximum time for remedial instruction.
- 7.02.8 AIPs should be individualized; however, similar deficiencies based on test data, may be remediated through group instruction.
- 7.02.9 In any instance where a student with disabilities identified under the Individuals with Disabilities Education Act has an Individualized Education Program (IEP) that already addresses any academic area or areas in which the student is not proficient on state-mandated criterion-referenced assessments, the individualized education program shall serve to meet the requirement of an AIP.
- 7.03 Retention for failure to participate in the Academic Improvement Plan
 - 7.03.1 School districts shall notify parents, guardians or caregivers of remediation requirements and retention consequences for failure to participate in the required remediation at the beginning of the 2004-2005 school year. Beginning with the 2005-2006 school year, this information shall be included in the student handbook.
 - 7.03.2 Beginning with the 2005-2006 school year, students in Grades three through eight, identified for an AIP who do not participate in the remediation program shall be retained. The local district shall determine the extent of the required participation in remediation as set forth in the student academic improvement plan.
 - 7.03.3 Remedial instruction provided during high school years (Grades 7 – 12) may not be in lieu of English, mathematics, science or social studies, or other core subjects required for graduation.

- 7.03.4 Any student who does not score at the Proficient level on the criterion-referenced assessments in reading, writing and mathematics shall continue to be provided with remedial or supplemental instruction until the expectations are met or the student is not subject to compulsory school attendance.
- 7.03.5 Any student that has an AIP and fails to remediate, but scores at the Proficient level on the criterion-referenced assessments, shall not be retained.
- 7.03.6 Beginning in the 2005-2006 school year, students not proficient on the End-of-Course tests or on the high school Literacy test, shall participate in a remediation program to receive credit for the corresponding course.
- 7.03.7 Beginning with the 2009-2010 school year, students who fail to meet the pass rate on the end-of-course assessments shall not receive credit for the course until at least one of the following conditions are met. Any student failing to meet one of these conditions shall not be entitled to graduate with a high school diploma from an Arkansas high school or charter school.
 - 7.03.7.1 The student is identified as meeting a satisfactory pass level on a subsequent end-of-course assessment.
 - 7.03.7.1.1 No student that is identified as having failed to meet the satisfactory pass levels on an initial end-of-course assessment shall be entitled to take more than three (3) additional subsequent end-of-course assessments. ADE will determine annually the schedule for administration of additional assessments.
 - 7.03.7.1.2 Prior to a student taking additional end-of-course assessments, the student shall be given a sufficient opportunity and time for remediation.
 - 7.03.7.2 The student is identified as having, by the end of grade twelve (12), finished an appropriate Alternate exit course and is identified as having met a satisfactory pass level on an Alternate assessment directly related to the Alternate exit course.
 - 7.03.7.2.1 Any student that fails to pass the end-of-course assessment after three additional attempts shall be required to take and pass an Alternate exit course and meet a satisfactory Alternate level score on a subsequent Alternate assessment.
 - 7.03.7.2.2 Alternate exit courses may be offered through a distance learning class and may be offered outside the normal school day.

- 7.03.7.3 The student is identified as a student with disabilities who, because of the nature of the disabilities, cannot meet the requirements. In such case that student may graduate from high school by demonstrating alternate competencies or Alternate levels of competency as contained in the student's individualized education program.
- 7.04 The results of End-of-Course assessments shall become a part of each student's transcript or permanent record. Each course for which a student completes the assessment shall be recorded with the performance level (advanced, proficient, basic or below-basic).
- 7.05 The Department shall implement a statistical system that shall provide the best analysis of classroom, school, and school district effects on student progress based on established, value-added longitudinal calculations, which shall measure the difference in a student's previous year's achievement compared to the current year achievement for the purposes of improving student achievement, accountability, and recognition.
- 7.06 The approach used by the Department shall be in alignment with federal statutes and developed in 2004-2005 to collect data to allow research and evaluation of student achievement growth models.
- 7.07 The approach shall include value-added longitudinal calculations with sufficient transparency in the model's conception and operation to allow others in the field to replicate the results.
- 7.08 Reading Deficiency for Students in Kindergarten through Grade Two
 - 7.08.1 Beginning with the 2005-2006 school year, any student who exhibits a substantial reading deficiency shall be provided intensive reading instruction utilizing a scientifically-based reading program. The intensive instruction shall systematically, explicitly, and coherently provide instruction in the five essential elements of reading as defined in Section 3.20.
 - 7.08.2 During the 2005-2006 school year, the State Board of Education shall establish performance levels for kindergarten, Grade 1 and Grade 2 that define substantial difficulties in reading based on the State mandated, developmentally appropriate assessment. The State mandated Uniform Screening Readiness (USR) instrument shall be used to determine substantial reading difficulty for kindergarten students.
 - 7.08.3 Beginning with the 2005-2006 school year, all kindergarten students exhibiting substantial difficulties in reading will be evaluated by school personnel for the purpose of diagnosing specific reading difficulties. This evaluation will occur within 30 days of receiving the USR results.

- 7.08.4 Beginning with the 2005-2006 school year, within 30 days of the beginning of school, Grade 1 and Grade 2 students exhibiting substantial difficulties in reading will be evaluated by school personnel for the purpose of diagnosing specific reading difficulties. However, in those school years in which the State Board of Education shall revise the performance levels schools shall be allowed 30 days from the date of the final approval to conduct the evaluation.
- 7.08.5 The evaluation shall include the Dynamic Indicators of Basic Early Literacy Skills (DIBELS).
- 7.08.6 Beginning with the 2005-2006 school year, school personnel shall develop an Intensive Reading Improvement plan (IRI) that describes the intervention program for any student identified with substantial reading difficulty. The IRI shall be developed cooperatively by appropriate teachers and/or other school personnel knowledgeable about the student's performance or responsible for remediation.
- 7.08.7 The IRI shall contain an implementation timeline that assures the maximum time for remedial instruction. The intervention shall occur during the regular school day whenever possible, but may include extended day when appropriate. The intervention shall supplement, and not supplant, core classroom instruction.
- 7.08.8 The IRI shall include valid and reliable progress monitoring assessments to measure student growth toward the grade level benchmarks in each essential element of reading.
- 7.08.9 The intensive reading instruction provided under the IRI shall utilize strategies that are aligned with scientifically-based reading research.
 - 7.08.9.1 The intensive instruction shall systematically, explicitly and coherently provide instruction in the five essential areas of reading. The intensity and focus of the instruction shall be based on the evaluation results, teacher observation, and data from progress monitoring assessments. The intervention plan shall be revised periodically to reflect student needs as indicated on progress monitoring assessments.
 - 7.08.9.2 The IRI should be individualized; however, similar deficiencies may be remediated through group instruction.
 - 7.08.9.3 A highly qualified teacher and/or a highly qualified paraprofessional under the guidance of a highly qualified teacher shall provide instruction under the IRI.

7.08.9.4 The intervention shall continue until the child has reached grade level benchmarks in all essential areas of reading.

7.08.10 Student achievement in each of the essential elements shall be monitored monthly after students complete the intervention. Students who are not meeting current expectations shall be provided additional interventions.

7.08.11 In any instance where a student with disabilities identified under the Individuals with Disabilities Act has an IEP that already addresses reading deficiencies, the individual education program shall serve to meet the requirements of the IRI.

7.09 The parent or guardian of any student identified with a substantial reading deficiency shall be notified in writing to include the following:

7.09.1 That the child has been identified as having a substantial deficiency in reading;

7.09.2 A description of the current services that are provided to the child; and,

7.09.3 A description of the proposed supplemental instructional services and supports that will be provided to the child that are designed to remediate the identified area of reading deficiency.

8.0 School Accountability

8.01 The Department of Education shall provide analyses of data produced by the Arkansas Comprehensive Assessment Program and other reliable measures of student learning to determine classroom, school, and school district academic performance.

8.02 Student performance trend data shall be one of the components used in developing objectives of the school improvement plan, internal evaluations of instructional and administrative personnel, assignment of staff, allocation of resources, acquisition of instructional materials and technology, performance-based budgeting, and assignment of students into educational programs of the local school program.

8.03 Each school shall develop one (1) Arkansas Comprehensive, School Improvement Plan (ACSIP) focused on student achievement. This requirement is intended to focus the school/school district annually on the school's performance data for the purposes of improved student performance, based on data and the performance of students on the state assessment system.

8.04 The purpose of ACSIP is to provide equal opportunity for all students, including identifiable subgroups, to meet the expected performance levels established by the Board on all State assessments.

8.05 Consistent with the No Child Left Behind Act, each school must make adequate yearly progress (AYP), based primarily on the administration of the criterion-referenced assessments described in Section 5.02. In order to make AYP, a school or school district must—

- Demonstrate that at least 95 percent of all students and of students in each applicable subgroup, as provided in Section 8.06, at the tested grade levels, participated in the assessments;
- Meet or exceed the annual measurable performance levels described in Section 904.5, based on the percentages of students scoring proficient or above on the assessments, overall and for each applicable subgroup; or alternatively, if the total group or any subgroup does not meet the annual measurable performance levels, demonstrate that the percentage of students in that subgroup who did not meet the proficient level for that year decreased by 10 percent of that percentage from the preceding school year and that the subgroup made progress on one additional academic indicator; and
- Show progress for all students on an additional academic indicator, which shall be graduation rate for high schools and percent attendance for elementary and middle schools.

8.06 The following subgroups must be included in the school/school district data disaggregation:

- 8.06.1 Students with Disabilities
- 8.06.2 Students who are English Language Learners
- 8.06.3 Economically Disadvantaged Students
- 8.06.4 Ethnic Subgroups
 - 8.06.4.1 Caucasian
 - 8.06.4.2 African American
 - 8.06.4.3 Hispanic

8.07 A school must meet AYP criteria overall and for each of these subgroups that meets the minimum group size as determined by the Department of Education and approved by the U.S. Department of Education.

8.08 The Department will determine AYP separately for mathematics and literacy, using appropriate statistical treatments. Based on the single statewide starting point described in this section, annual performance levels assure that ALL students will reach proficient by school year 2013-2014.

8.09 The Department will determine for each school in the state the percent of students performing at the proficient or advanced levels. This percentage will be determined by computing the sum of students proficient or advanced for the current year or the most recent three years across each grade for which there is a criterion-referenced assessment. That sum is divided by the total number of students assessed for that year or across those three years and grades. This number shall include students taking

alternate assessments. The percentage shall be determined separately for mathematics and reading/literacy.

- 8.10 The AYP starting point regarding percent proficient on state assessments will be determined for grade-level clusters K- 5; 6 – 8; and 9 – 12 and separately for mathematics and reading/literacy.
- 8.11 The AYP starting point will be determined by ranking each school within the grade-level by the percent proficient. Additionally, the ranking will include the total student enrollment for those grades using October 1, 2002, data or October 1 of a subsequent year for which there is a recalculation.
- 8.12 The Department will determine the school that contains the 20th percent student of total enrollment – starting from the school with the lowest percent proficient and counting upward. The percent proficient of that school becomes the “starting point” for determining AYP for that grade-level cluster and content area.
- 8.13 The following table establishes the starting point and projected performance level for each year of the twelve years addressed by the No Child Left Behind Act.

Calculating AYP and Annual Expected Performance Levels

	K-5 Math	K-5 Literacy	6-8 Math	6-8 Literacy	9-12 Math	9-12 Literacy
Year 05-06	40.00	42.40	29.10	35.20	29.20	35.50
Year 06-07	47.50	49.60	37.96	43.30	38.05	43.56
Year 07-08	55.00	56.80	46.83	51.40	46.90	51.63
Year 08-09	62.50	64.00	55.69	59.50	55.75	59.69
Year 09-10	70.00	71.20	64.55	67.60	64.60	67.75
Year 10-11	77.50	78.40	73.41	75.70	73.45	75.81
Year 11-12	85.00	85.60	82.28	83.80	82.30	83.88
Year 12-13	92.50	92.80	91.14	91.90	91.15	91.94
Year 13-14	100.00	100.00	100.00	100.00	100.00	100.00

- 8.14 Each year, in determining whether a school has met the target of percent proficient for that school year as listed on the chart, the Department shall compare the school's percent proficient in the appropriate grade-level cluster and content area with the statewide projected goal for that year. A school shall be deemed to have met AYP for a particular year for a particular grade-level cluster and content area as long as the school attains at least the statewide projected goal.
- 8.15 Schools/School Districts failing to meet expected performance standards as established by the Board shall be subject to sanctions as specified in school improvement or academic distress.
- 8.16 Schools/School Districts exemplifying exceptional performance levels and/or growth patterns shall be recognized for exemplary performance and will be eligible to participate in the rewards program.

9.0 Accountability

Schools failing to meet Adequate Yearly Progress as determined under these Rules shall be classified subject to the following consequences.

- 9.01 A school will be identified in alert status if it has not made AYP in the same subject (Mathematics or Literacy) for one year.
- 9.02 A school will be identified as in Improvement Status if it has not made AYP in the same subject (Mathematics or Literacy) for two consecutive years.
- 9.03 A school in Alert Status or Improvement Status that fails to make AYP, but does not fail to make AYP in the same subject for two consecutive years, will remain in its existing status for the following school year.
- 9.04 The first year a school fails to meet expected performance levels, that school shall be classified as on Alert Status. Any school classified on Alert Status shall be required to review and/or revise the school's ACSIP Plan with special attention given to State designated subgroup(s) which failed to meet expected performance levels.
- 9.05 The local school board president and the superintendent of a public school or school district identified by the Department in school improvement shall be notified in writing by the Department, via certified mail, return receipt requested, and the school district shall have a right to appeal to the Commissioner of the Department. The written appeal must be received in the Office of the Commissioner of Education within thirty (30) calendar days of the receipt of notice.
- 9.06 The second year a school fails to make Adequate Yearly Progress, that school shall be classified as Year 1 of School Improvement. Any school classified in Year 1 of School Improvement shall offer eligible students choice options to another school in the district not in school improvement.

- 9.07 The third year a school fails to make Adequate Yearly Progress, that school shall be classified as Year 2 of School Improvement. Any school classified in Year 2 of School Improvement shall offer eligible students supplementary educational services in keeping with federal guidelines in addition to continued consequences from Year 1 of School Improvement.
- 9.08 Should a school fail to make Adequate Yearly Progress in the fourth year, the Board shall advance that school into corrective action. Schools in corrective action must continue to offer consequences from School Improvement Year 2 and the school must implement a plan, with the approval of the Department, having specified corrective actions.
- 9.09 Should a school fail to make Adequate Yearly Progress in the fifth year, the Board shall advance that school into restructuring. In restructuring the Department may require the school to dismiss staff and administrators, annex the school to another school that is not in school improvement, and/or take other such action as deemed necessary by the Department and the Board.
- 9.10 Once a school has been identified in school improvement, that school must meet the standard(s) for which it failed to meet for two consecutive years to be considered for removal.
- 9.11 Schools that receive Title I funds must meet all funding requirements as specified by federal guidelines. Schools that do not receive Title I funds must implement programming in keeping with the school's ACSIP Plan as revised.
- 9.12 Beginning with the 2006-2007 school year, schools designated in year three, four or five school improvement shall participate in a scholastic audit conducted by the Department of Education (or its designees).
 - 19.12.1 Results of the scholastic audit shall be presented to the superintendent within four (4) weeks of completing the scholastic audit. The audit shall make recommendations to improve teaching and learning for inclusion in the comprehensive school improvement plan.
- 9.13 School Performance Rating System
 - 9.13.1 The Department of Education will establish a working task force during the 2004-2005 school year to assist in the development of the rating system. The task force shall include educators, parents, and business/community stakeholders. In order to keep the rating system reliable and valid, a Technical Advisory Committee composed of nationally recognized accountability experts, statisticians, and psychometricians shall be selected by the Commissioner of Education and shall advise the Department in all technical aspects of the accountability system. The rating system shall include the establishment of a performance level and an improvement level. The improvement level shall be

assigned in the 2007-2008 school year and the performance level shall be assigned no later than the 2009-2010 school year. The ADE will implement a pilot system of performance levels required by A.C.A. § 6-15-1903, at least one (1) year prior to the year of implementation required by law. The performance level designations may be applied to any school district requesting to be classified by such performance designations as allowed by A.C.A. § 6-15-1903 (b) (1).

9.14 Performance Category Levels

9.14.1 The Department of Education shall prepare an annual report, which shall describe the school rating system. The annual report shall designate two (2) category levels for each school. The first category, annual performance, is based on the performance from the prior year on the criterion-referenced test and end-of-course exams. The second category, growth, shall be based on the schools' improvement gains tracked longitudinally and using value-added calculations on the criterion-referenced assessment

9.14.2 The initial annual report shall identify schools as being in one (1) of the following annual performance category levels, based on the criterion-referenced Benchmark exams, as defined in 6-15-404(g) (1), and defined according to rules of the State Board of Education:

- (1) "Level 5", schools of excellence;
- (2) "Level 4", schools exceeding the standards;
- (3) "Level 3", schools meeting the standards;
- (4) "Level 2", schools on alert; or
- (5) "Level 1", schools in need of immediate improvement.

9.15 For the years 2004-2005 through 2008-2009, school will not be assigned annual school performance category levels, unless an annual performance category levels is requested by the school.

9.16 Annual School Performance Rating: Weighted Average Approach

9.16.1 Since the ACTAAP testing program in Arkansas was designed as a criterion-referenced assessment system with performance standards, the standards for student performance can be used to develop a rating index of school performance.

9.16.2 Numerical values to be used as weighting factors can be assigned to each students' performance category (Advanced = 4; Proficient = 3; Basic = 2; Below Basic = 1)

9.16.3 With these weights assigned to the performance levels, a performance index for the school can be computed by multiplying the weights of the performance levels times the number of students scoring in the performance category.

- 9.16.4 The sum of the weighted student performance for each subject and grade in the school is divided by the total number of students testing the subjects and grades. The resulting average for the school is an index of performance that will range between 1.0 and 4.0.

9.17 Achievement Rating Weighted Average Approach

9.17.1 Assigned the following points:

4 points per student scoring in the advanced category,
 3 points per student scoring in the proficient category;
 2 points per student scoring in the basic category,
 1 point per student scoring in the below basic category.

Points = Number of student scoring in category X points assigned to categories

9.17.2 Example

Number of Students	Scoring Category	Points Assigned to Categories	Total
10	Advanced	4	40
30	Proficient	3	90
40	Basic	2	80
20	Below Basic	1	20
Total points for the school for all categories			230

9.18 Achievement Rating: Weighted Average Approach Calculation

- 9.18.1 To calculate the rating score for each school, divide the total point for the school by the number of students in the school.

Points Received	Number of Students	Rating
230	100	2.3

- 9.18.2 At the direction of the state board, a panel of stakeholders was convened to review the statewide performance of schools and conduct the standard setting process. In the school standard setting process, stakeholders representing administrators, teachers, business, parents, and school board members served as panelists to decide on the quality level represented by various points within the distribution of school index scores. The state board reviewed and adopted the following standards recommended by the stakeholder's advisory panels for the annual performance rating.

<p>Standard Setting Recommendations Stakeholder Advisory Panels</p>
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Cut Scores	Cut 1/2	Cut 2/3	Cut 3/4	Cut 4/5
Administrators	1.7	2.19	2.76	3.02
Teachers	1.6	2.25	3.0	3.5
Business	1.735	2.145	2.7	3.365
Parents	1.75	2.2	2.65	3.0
School Board	1.81	2.30	2.87	3.30
Median	1.735	2.2	2.755	3.300
Average	1.719	2.21	2.79	3.23

9.18.3 After the rating score has been calculated for each school, schools may calculate their annual performance level by locating the established performance standard (cut score) for placing each school in one of five performance categories.

9.18.4 In the example below, if the rating score of the school is between 3.5 and 4.0, it will be in the "schools of excellence" performance category level.

Expert Panel Cut Scores	Performance Categories
3.23 – 4.0	Schools of excellence
2.79 – 3.22	Schools exceeding the standards
2.21 – 2.78	Schools meeting standards
1.719 – 2.20	Schools approaching the standards (alert)
1.0 – 1.718	Schools in need of immediate improvement

9.18.5 The second category, growth, available in 2007-2008, shall be based on the schools' improvement gains tracked longitudinally and using value-added calculations on the criterion-referenced assessment. The working taskforce shall continue to assist in the rating system during the establishment of the second category.

9.19 School Choice

9.19.1 For all schools that have received an annual performance category levels of Level 1 for two (2) consecutive years, the students in these schools shall be offered the opportunity public school choice option with transportation provided pursuant to A.C.A. § 6-18-227 et seq.

9.20 Supplemental Educational Services

9.20.1 In addition, the school district board shall provide supplemental educational services, approved by the State Board, to affected students.

9.21 Recognition Awards

- 9.21.1 Schools that receive an annual performance category level of Level 5 or Level 4 are eligible for school recognition awards and performance-based funding pursuant to A.C.A. § 6-15-1907.

9.22 Sanctions

- 9.22.1 Any school or district that is involved in substantiated test security violations will not be eligible to receive the "school of excellence" performance rating.

10.0 School District Accountability

- 10.01 The Department annually reviews each district to determine whether it is making AYP in the following way.

- 10.01.1 Determine the collective status for all the schools within a district within each grade-level grouping (k-5; 6-8 and 9-12)
- 10.01.2 Determine the district percent of participation across each grade level group
- 10.01.3 Determine the district status on secondary indicator across each grade-level group.
- 10.01.4 A district shall be in school improvement when all levels within a district fail to meet performance standards for two consecutive years in the same subject. A district having status of School Improvement shall be removed from that status when any one level meets the performance standard for two consecutive years in that subject.

- 10.02 Before identifying a district for district improvement, the Department will provide the district with an opportunity to review the data on which the identification is based. The district may appeal the identification, and the Department will decide the appeal within 30 days.

- 10.03 Each district identified for school improvement shall within three months of identification develop or revise a district improvement plan that complies with the requirements of the No Child Left Behind Act, including the requirement that it spend not less than 10% of its Part A, Title I funds on professional development for each fiscal year in which the district is identified for improvement. The district shall initiate implementation of the plan expeditiously, but not later than the beginning of the next school year after the school year in which the district was identified for improvement. The Department will provide technical assistance to districts in developing and implementing improvement plans under this section.

- 10.04 Academic Distress – Procedures for Identification, Classification and Appeal of School Districts in Academic Distress

- 10.04.1 A school district for which 75% or more of the students completing the state's assessments perform at the below basic level shall be designated in Academic Distress. This computation shall collectively include students from each school in the district and from each grade for which a criterion-referenced assessment is given.
- 10.04.2 Within thirty calendar days (30) after the release of the state assessment results by the Department, the Department shall identify all school districts in Academic Distress and shall notify in writing each school district superintendent and board president via certified mail, return receipt requested.
- 10.04.3 A school district may appeal a determination of the Department identifying the district as an Academic Distress school district by filing an appeal in writing in the Office of the Commissioner of the Department within (30) calendar days after receiving the notification, justifying why the district should not be identified as being in Academic Distress.
- 10.04.4 The Board shall render a written decision of a classification on a district's appeal of identification as an Academic Distress school district within sixty (60) calendar days of the district's written request.
- 10.04.5 The decision of the Board shall be final with no further right of appeal, except a school district may appeal to the Circuit Court of Pulaski County pursuant to the Administrative Procedures Act, A.C. A. §25-15-201 et seq.

10.05 Time Limitation of Academic Distress Status

- 10.05.1 A public school district identified as in academic distress shall have no more than two (2) consecutive school years beginning on July 1 following the date of notice of identification to be removed from academic distress status.
- 10.05.2 The Board may at any time take enforcement action on any school district in academic distress status including, but not limited to, annexation, consolidation, or reconstitution of a school district pursuant to A.C.A. § 6-13-1401 et seq.
- 10.05.3 If a public school district fails to be removed from academic distress status within the allowed two (2) year time period, the Board shall annex, consolidate or reconstitute the academic distress school district prior to July 1 of the next school year unless the Board, at its discretion, issues a written finding supported by a majority of the board, explaining in detail that the school district could not remove itself from academic distress during the relevant time period due to external forces beyond the school district's control.

10.06 Procedures for assisting school districts in academic distress

- 10.06.1 Within thirty (30) calendar days of classification by the State Board, each Academic Distress school district shall develop and file with the Department a modified Comprehensive School Improvement Plan to target and address any area in which the district is experiencing academic distress.
- 10.06.2 Within fifteen (15) calendar days of classification by the State Board, the Department shall assign a team of educators to evaluate the district and determine the need for on-site technical assistance.
- 10.06.3 The team of educators shall evaluate and make recommendations to the district superintendent within sixty (60) calendar days following the district's classification as an Academic Distress school district.
- 10.06.4 School districts classified as Academic Distress shall provide access to all district assessment, instruction, personnel and academic records and reports to assist the team in the formulation of the recommendations for improvement.
- 10.06.5 The Department with assistance from the team of educators shall review the data relative to the academic status and performance of students in the Academic Distress school district.
- 10.06.6 Following the on-site review, the team of educators will submit a written set of recommendations to the Academic Distress school district.
- 10.06.7 The Department shall provide relevant technical assistance to each identified school district based upon the needs identified in the Comprehensive School Improvement Plan.

10.08 Procedures for evaluating and removal of school districts from academic distress status

- 10.08.1 The Department shall review and annually report to the Board the academic conditions existing in each Academic Distress school district and determine whether the district is making progress and has fewer than 75% of the students performing in the below basic performance level.
- 10.08.2 A school district designated in Academic Distress shall be removed from Academic Distress only if fewer than 75% of the students perform below basic for two consecutive years.

11.0 Board Authority

- 11.01 The Board shall have the following authority regarding any public school district in academic distress:
 - 11.01.1 Require the superintendent of the school district to relinquish all authority with respect to the district, to appoint an individual to administratively operate the district under the supervision of the Commissioner of the Department, with the cost to be paid from school district funding;
 - 11.01.2 Suspend or remove some or all of the current board of directors and call for the election of a new school board for the school district in which case the school district shall reimburse the county board of election commissioners for election costs as otherwise required by law.
 - 11.01.3 Allow the school district to operate without the local school board under the supervision of the local school district administration or an administration chosen by the Commissioner of the Department.
 - 11.01.4 Waive the application of Arkansas law, with the exception of the Teacher Fair Dismissal Act of 1983, A.C.A. § 6-17-1501 et seq., and the Public school Employee Fair Hearing Act, A.C.A. § 6-17-1701 et seq., or Department Rules.
 - 11.01.5 The Board has exclusive jurisdiction to determine the boundary lines of the receiving or resulting school district and to allocate assets and liability of the district.
 - 11.01.6 Require the annexation, consolidation, or reconstitution of the public school district.
 - 11.01.7 Take any other necessary and proper action as determined by the Board that is allowed by law.
 - 11.01.8 After providing thirty (30) calendar days written notice, via certified mail return receipt requested, to a school district, the Department may petition the Board or the Board on its own motion, at any time, may take action pursuant to 11.0 as allowed by Act 1467 of 2003, in order to secure and protect the best interest of students in the public school district or to secure and protect the best interest of the educational resources of the state.
 - 11.01.9 The School District shall have a right of appeal to a public hearing before the Board after filing a written notice of appeal with the office of the Commissioner of the Department at least thirty (30) calendar days prior to the appeal hearing.
 - 11.01.10 The State Board shall consolidate, annex or reconstitute a school district that fails to remove itself from the classification

of a school district in academic distress within two (2) consecutive school years of receipt of notice of identification unless the Board, at its discretion, issues a written finding supported by a majority of the Board, explaining in detail that the school district could not remove itself from academic distress due to impossibility caused by external forces beyond the school district's control.

11.01.11 After a public hearing, the Board shall consolidate, annex, or reconstitute the school district in academic distress to another non-academic distress school district upon a majority vote of a quorum of the members of the Board as permitted or required by this subchapter.

11.01.12 The Board's classification of a school district in Academic Distress shall be final except that the school district shall have a right of appeal to the Circuit Court of Pulaski County pursuant to the Arkansas Administrative Procedures Act, A.C.A. § 25-15-201 et seq.

12.0 School Choice and Academic Distress

12.01 Any student attending a public school district classified as being in academic distress shall automatically be eligible and entitled pursuant to A.C.A. § 6-18-206, the "Arkansas Public School Choice Act", to transfer to another geographically contiguous school district not in academic distress during the time period a district is classified as being in academic distress, and therefore, not be required to file a petition by July 1 but shall meet all other requirements and conditions of the Arkansas Public School Choice Act.

12.02 The cost of student transportation to the nonresident district shall be borne by the resident district.

12.03 The nonresident district shall count the student for average daily membership purposes.

13.0 Emergency Clause

~~WHEREAS, the score tables set out in these Rules are critical to the Arkansas public educational system in that without these tables Arkansas public school districts would not be aware of the relevant scores to be used by the Arkansas Department of Education in determining the various levels of student competency on standardized tests it will administer during the Spring 2010 testing cycle. Therefore, without the revisions to these Rules, The Arkansas Department of Education would be impeded in its ability to carry out the educational accountability provisions of Act 1467 of 2003 (the Quality Education Act), Act 35 of the Second Extraordinary Session of 2003, and Act 1307 of 2009, thus directly impacting the education of children in said school districts, which may impact the fiscal welfare, and peril of certain students. As a result, the Arkansas State Board of Education hereby determines that imminent peril to the schools and~~

~~school districts of this state, as articulated above, will exist if these Rules are not promulgated on an emergency basis. Therefore, pursuant to Ark. Code Ann. § 25-15-204, these Rules are to immediately take effect upon passage by the Arkansas State Board of Education.~~

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

Act 1307 of the Regular Session

State of Arkansas

As Engrossed: S4/2/09

87th General Assembly

A Bill

Regular Session, 2009

HOUSE BILL 1959

By: Representatives Abernathy, Barnett, Betts, T. Bradford, Breedlove, J. Brown, J. Burris, M. Burris, Carnine, Carter, Cook, L. Cowling, Dale, Davenport, J. Dickinson, Dunn, Hopper, D. Hutchinson, Lindsey, Ragland, Reep, J. Rogers, Saunders, Slinkard, Summers, Tyler, B. Wilkins, Woods
By: Senators J. Jeffress, Altes, G. Baker, Bledsoe, Broadway, Bryles, Crumbly, Hendren, G. Jeffress, Salmon, Steele, D. Wyatt

For An Act To Be Entitled

AN ACT TO AMEND THE REQUIREMENTS FOR PUBLIC
SCHOOL END-OF-COURSE ASSESSMENTS; AND FOR OTHER
PURPOSES.

Subtitle

TO AMEND THE REQUIREMENTS FOR PUBLIC
SCHOOL END-OF-COURSE ASSESSMENTS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 6-15-419 is amended to read as follows:
6-15-419. Definitions.

The following definitions shall apply in this subchapter and in ~~§§ 6-15-2001 et seq., 6-15-2101 et seq., 6-18-227, 6-15-2201, 6-15-2301, and 6-15-2401~~; §§ 6-15-2001 et seq., 6-15-2101 et seq., 6-15-2301, 6-15-2401, and 6-18-227:

(1) “ACT” means the ACT assessment for college placement administered by ACT, Inc;

(2) “Academic content standards” means standards that are approved by the State Board of Education and that set the skills to be taught and mastery level for each grade and content area;

~~(2)-(A)~~ (3)(A) “Academic improvement plan” means a plan detailing



1 supplemental or intervention and remedial instruction, or both, in deficient
2 academic areas for any student who is not proficient on a portion or portions
3 of the state-mandated Arkansas Comprehensive Assessment Program.

4 (B)(i) Such a plan shall be created and implemented by
5 appropriate teachers, counselors, and any other pertinent school personnel.

6 (ii) All academic improvement plans shall be
7 ~~annually reviewed~~ reviewed annually and revised to ensure an opportunity for
8 student demonstration of proficiency in the targeted academic areas on the
9 next state-mandated Arkansas Comprehensive Assessment Program.

10 (iii) A cumulative review of all academic
11 improvement plans shall be part of the data used by the school in creating
12 and revising its comprehensive school improvement plan.

13 (iv) All academic improvement plans shall be subject
14 to review by the Department of Education.

15 (C) In any instance in which a student with disabilities
16 identified under the Individuals with Disabilities Education Act has an
17 individualized education program that already addresses any academic area or
18 areas in which the student is not proficient on state-mandated augmented,
19 criterion-referenced, or norm-referenced assessments, the individualized
20 education program shall serve to meet the requirement of an academic
21 improvement plan;

22 ~~(3)~~(4) "Adequate yearly progress" means ~~that~~ the level of
23 academic improvement required of public schools or school districts on the
24 state-mandated augmented, criterion-referenced, or norm-referenced
25 assessments and other indicators as required in the Arkansas Comprehensive
26 Testing, Assessment, and Accountability Program, which shall comply with the
27 Elementary and Secondary Education Act as reauthorized in the No Child Left
28 Behind Act of 2001;

29 (5) "Advanced placement test" means the test administered by the
30 College Board for a high school level preparatory course that incorporates
31 the topics specified by the College Board on its standard syllabus for a
32 given subject area and is approved by the College Board;

33 ~~(4)~~(6) "Annexation" means the joining of an affected school
34 district or part of the school district with a receiving district under § 6-
35 13-1401 et seq., or § 6-13-1601 et seq.;

36 ~~(5)~~(7) "Annual improvement gains" or "student learning gains"

1 means calculating a student's academic progress from one (1) year to the
2 next, based on a same series nationally normed assessment given in the same
3 time frame from one (1) year to the next, used as a pre-post measure of
4 learning for the content areas tested;

5 ~~(6)~~(8) "Annual performance" means ~~that~~ the level of academic
6 achievement required of public schools or school districts on the state-
7 mandated augmented, criterion-referenced, or norm-referenced assessments;

8 ~~(7)~~(9) "Arkansas Comprehensive Assessment Program" means the
9 testing component of the Arkansas Comprehensive Testing, Assessment, and
10 Accountability Program, which shall consist of:

11 (A) Developmentally appropriate augmented, criterion-
12 referenced, or norm-referenced assessments in kindergarten through grade
13 twelve (K-12), as determined by the state board;

14 (B) Any other assessments as required by the state board;

15 (C) Other assessments that are based on researched best
16 practices as determined by qualified experts which would be in compliance
17 with federal and state law; and

18 (D) End-of-course examinations for designated grades and
19 content areas;

20 ~~(8)~~(10) "Arkansas Comprehensive Testing, Assessment, and
21 Accountability Program" means a comprehensive system that focuses on high
22 academic standards, professional development, student assessment, and
23 accountability for schools;

24 ~~(9)~~(11) "Comprehensive school improvement plan" means the
25 individual school's comprehensive plan based on priorities indicated by
26 assessment and other pertinent data and designed to provide an opportunity
27 for all students to demonstrate proficiency on all portions of the state-
28 mandated Arkansas Comprehensive Assessment Program;

29 ~~(10)~~(12) "Consolidation" means the joining of two (2) or more
30 school districts or parts of the school districts to create a new single
31 school district under § 6-13-1401 et seq. or § 6-13-1601 et seq.;

32 ~~(11)~~(A)~~(13)~~(A) "District improvement plan" means a districtwide
33 plan coordinating the actions of the various comprehensive school improvement
34 plans within a school district.

35 (B) The main focus of the district improvement plan shall
36 be to ensure that all students demonstrate proficiency on all portions of the

1 state-mandated Arkansas Comprehensive Assessment Program;

2 ~~(12)(A)~~(14)(A) "Early intervention" means short-term, intensive,
3 focused, individualized instruction developed from ongoing, daily, systematic
4 diagnosis that occurs while a child is in the initial, kindergarten through
5 grade one (K-1), stages of learning early reading, writing, and mathematical
6 strategies to ensure acquisition of the basic skills and to prevent the child
7 from developing poor problem-solving habits that become difficult to change.

8 (B) The goal is to maintain a student's ability to
9 function proficiently at grade level;

10 ~~(13) "End of course" means an examination taken at the~~
11 ~~completion of a course of study to determine whether a student demonstrates~~
12 ~~attainment of the knowledge and skills necessary to mastery of that subject;~~

13 (15) "General end-of-course assessment" means a criterion-
14 referenced assessment taken upon successful completion of a course of study
15 set by the State Board of Education;

16 (A) To determine whether a student demonstrates, according
17 to a requisite scale score established by rule of the state board, attainment
18 of sufficient knowledge and skills to indicate a necessary and satisfactory
19 mastery of the subject level content in that end-of-course assessment; and

20 (B) For which failure to meet that requisite scale score
21 requires sufficient remediation before a student is entitled to receive full
22 academic credit for the course; and

23 ~~(14)~~(16) "Grade inflation rate" means the statistical gap
24 between actual grades assigned for core classes at the secondary level and
25 student performance on corresponding subjects on nationally normed college
26 entrance exams such as the ~~American College Test~~ ACT;

27 ~~(15)~~(17) "Grade level" means performing at the proficient or
28 advanced level on state-mandated Arkansas Comprehensive Assessment Program
29 tests;

30 ~~(16)~~(18) "High school" means grades nine through twelve (9-12);

31 (19) "High-stakes end-of-course assessment" means a criterion-
32 referenced assessment taken upon the successful completion of both the
33 Algebra I and the English II course of study under § 6-15-433(b)(3)(A)(iii):

34 (A) To determine whether a student demonstrates, according
35 to a requisite scale score established by rule of the state board, attainment
36 of sufficient knowledge and skills to indicate a necessary and satisfactory

1 passing standard of the subject level content in that particular end-of-
2 course assessment; and

3 (B) For which failure to meet the requisite scale score
4 requires that the student shall not receive academic credit for the course of
5 study for which the assessment was taken until the student meets the
6 requisite scale score on the initial, a subsequent, or an alternative high-
7 stakes end-of-course assessment as allowed or required by Arkansas law or by
8 state board rules;

9 (20) "International Baccalaureate assessment" means an
10 assessment administered by the International Baccalaureate Organization for a
11 course offered under the International Baccalaureate Diploma Program;

12 ~~(17)~~(21) "Longitudinal tracking" means tracking individual
13 student yearly academic achievement gains based on scheduled and annual
14 assessments;

15 ~~(18)~~(22) "Middle level" means grades five through eight (5-8);

16 ~~(19)~~(23) "No Child Left Behind Act" means the No Child Left
17 Behind Act of 2001 signed into federal law on January 8, 2002;

18 ~~(20)~~(24) "Parent" means:

19 (A) A parent, parents, legal guardian, a person standing
20 in loco parentis, or legal representative, as appropriate, of a student; or

21 (B) The student if the student is eighteen (18) years of
22 age or older;

23 ~~(21)~~(25) "Point-in-time intervention and remediation" means
24 intervention and remediation applied during the academic year upon the
25 discovery that a student is not performing at grade level;

26 ~~(22)~~(26) "Primary" means kindergarten through grade four (K-4);

27 ~~(23)~~(27) "Public school" means those schools or school districts
28 created pursuant to Title 6 of the Arkansas Code and subject to the Arkansas
29 Comprehensive Testing, Assessment, and Accountability Program except
30 specifically excluding those schools or educational programs created by or
31 receiving authority to exist ~~pursuant to~~ under § 6-15-501, § 9-28-205, § 12-
32 29-301 et seq., or other provisions of Arkansas law;

33 ~~(24)~~(28) "Public school in school improvement" or "school in
34 need of immediate improvement" means any public school or public school
35 district identified as failing to meet certain established levels of academic
36 achievement on the state-mandated augmented, criterion-referenced, or norm-

1 referenced assessments as required by the state board in the program;

2 ~~(25)~~(29) "Reconstitution" means a reorganization intervention in
3 the administrative unit or governing body of a public school district,
4 including, ~~but not limited to,~~ without limitation the suspension,
5 reassignment, replacement, or removal of a current superintendent or the
6 suspension, removal, or replacement of some or all of the current school
7 board members, or both;

8 ~~(26)(A)(i)~~(30)(A)(i) "Remediation" means a process of using
9 diagnostic instruments to provide corrective, specialized, supplemental
10 instruction to help a student in grades two through four (2-4) overcome
11 academic deficiencies.

12 (ii) For students in grades five through twelve (5-
13 12), remediation shall be a detailed, sequential set of instructional
14 strategies implemented to remedy any academic deficiencies indicated by
15 below-basic or basic performance on the state-mandated augmented, criterion-
16 referenced, or norm-referenced assessments.

17 (B) Remediation shall not interfere with or inhibit
18 student mastery of current grade level academic learning expectations;

19 (31) "SAT" means the college entrance examination known as the
20 "Scholastic Assessment Test" administered by the College Board;

21 ~~(27)~~(32) "School district in academic distress" means any public
22 school district failing to meet the minimum level of academic achievement on
23 the state-mandated augmented, criterion-referenced, or norm-referenced
24 assessments as required by the state board in the program;

25 ~~(28)~~(33) "School improvement plan" means the individual school's
26 comprehensive plan based on priorities indicated by assessment and other
27 pertinent data and designed to ensure that all students demonstrate
28 proficiency on all portions of the state-mandated Arkansas Comprehensive
29 Assessment Program examinations;

30 ~~(29)~~(34) "Social promotion" means the passage or promotion from
31 one (1) grade to the next of a student who has not demonstrated knowledge or
32 skills required for grade-level academic proficiency;

33 ~~(30)~~(35) "Uniform school readiness screening" means uniform,
34 objective evaluation procedures that are geared to either kindergarten or
35 first grade, as appropriate, and developed by the state board and
36 specifically formulated for children entering public school for the first

1 time; and

2 ~~(31)~~(36) "Value-added computations of student gains" means the
3 statistical analyses of the educational impact of the school's instructional
4 delivery system on individual student learning, using a comparison of
5 previous and posttest student achievement gains against a national cohort.
6

7 SECTION 2. Arkansas Code § 6-15-433(a), concerning a statewide
8 assessment program, is amended to read as follows:

9 (a) Upon approval by the State Board of Education or as required by
10 law, the Department of Education shall implement a statewide program of
11 educational assessment that provides information for the improvement of the
12 operation and management of the public schools and tests the requisite
13 knowledge and skills of students.
14

15 SECTION 3. Arkansas Code § 6-15-433(b)(3)(A), concerning a statewide
16 assessment program, is amended to read as follows:

17 (3)(A) Implement student achievement testing as part of the
18 statewide assessment program, to be administered annually to measure reading,
19 writing, and mathematics and ~~that~~ includes:

20 (i) Developmentally appropriate testing for grades
21 kindergarten through two (K-2);

22 ~~(ii)(a)~~(ii) Either:

23 (a) Developmentally appropriate augmented,
24 criterion-referenced, or norm-referenced assessments in kindergarten through
25 grade twelve (K-12), as determined by the state board and as required by law;
26 or

27 (b) Other assessments ~~which~~ that are based on
28 researched best practices as determined by qualified experts ~~which~~ that would
29 be in compliance with federal and state law;

30 (iii)(a) ~~Any other tests required by the state~~
31 ~~board; and~~ High-stakes end-of-course assessments administered under § 6-15-
32 2009 for Algebra I and English II only.

33 (b) The state board shall identify by rule
34 Algebra I and English II high-stakes courses and establish the high-stakes
35 end-of-course assessments;

36 (iv) ~~End-of-course examinations shall be~~

1 ~~administered for Algebra I, geometry, literacy, and other content areas as~~
2 ~~directed by the state board~~ General end-of-course assessments administered
3 for other content course subject areas as determined by state board rule; and

4 (v) Any other assessments required by the state
5 board.

6
7 SECTION 4. Arkansas Code § 6-15-2009 is amended to read as follows:
8 6-15-2009. Public School Assessments and Remediation.

9 (a)(1) Each student shall participate in the statewide program of
10 educational assessment required in §§ 6-15-419, ~~and 6-15-433, and this~~
11 section, and by the State Board of Education.

12 (2) Each student in grades three through eight (3-8) shall
13 participate in those benchmark assessments required in §§ 6-15-419 ~~and 6-15-~~
14 433, and this section and as established by the state board.

15 (3) Students in appropriate grades shall participate in ~~those~~
16 the general end-of-course assessments and high-stakes end-of-course
17 assessments required by §§ 6-15-419 and 6-15-433 as established by the State
18 Board state board and this section.

19 (4)(A) The state board shall determine ~~a satisfactory passing-~~
20 level the requisite scale score of student performance on each assessment
21 required in subdivisions (a)(1)-(3) of this section.

22 (B) The requisite scale score for any high-stakes end-of-
23 course assessment shall be set only at the cut score necessary to demonstrate
24 the minimum satisfactory passing level of that subject.

25 (5) The state board shall ~~promulgate the passing levels of~~
26 ~~student performance in rules and regulations~~ establish by rule the requisite
27 scale score for a general end-of-course assessment and the requisite scale
28 score for high-stakes end-of-course assessments.

29 (b)(1) Each student identified as not meeting the satisfactory pass
30 levels in the immediate previously administered benchmark assessment shall
31 participate in ~~his or her~~ the remediation activities as required in ~~his or~~
32 ~~her~~ the student's individualized academic improvement plan beginning in the
33 school year the assessment results are reported.

34 (2) ~~If~~ The Department of Education may determine that an
35 individualized education program for a student with disabilities identified
36 under the Individuals with Disabilities Education Act, 20 U.S.C. § 1400 et

1 seq., ~~has an~~ meets the requirements of an individualized academic improvement
2 plan under this section if the individualized education program ~~that~~
3 addresses ~~any~~ one (1) or more academic ~~area or~~ areas in which the student is
4 not proficient on state-mandated augmented, criterion-referenced, or norm-
5 referenced assessments, ~~the individualized education program meets the~~
6 ~~requirements of an academic improvement plan under this section.~~

7 (3)(A) The public school district where the student is enrolled
8 shall notify the student's parent, guardian, or caregiver of the parent's
9 role and responsibilities as well as the consequences for the student's
10 failure to participate in the plan.

11 (B) This notice may be provided via student handbooks
12 issued to students.

13 (4) ~~Beginning with the 2005-2006 school year, any~~ A student in
14 grades three through eight (3-8) identified as not passing a benchmark
15 assessment and who fails to participate in the subsequent academic
16 improvement plan shall be retained and shall not be promoted to the next
17 appropriate grade until:

18 (A) The student is deemed to have participated in an
19 academic improvement plan; or

20 (B) The student passes the benchmark assessment for the
21 current grade level in which the student is retained.

22 (c)(1) Beginning with the ~~2005-2006~~ 2009-2010 school year, ~~any a~~
23 student required to take ~~an~~ a general end-of-course assessment ~~that who~~ who is
24 identified as not meeting the ~~satisfactory pass levels~~ requisite scale score
25 for a particular assessment shall participate in ~~his or her~~ the remediation
26 activities as required in ~~his or her~~ the student's individualized academic
27 improvement plan in the school year that the assessment results are reported
28 in order to receive academic credit on his or her transcript for the course
29 related to the end-of-course assessment.

30 (2) The individualized academic improvement plan shall include
31 remediation activities focused on those areas in which a student failed to
32 pass ~~an~~ a general end-of-course assessment.

33 (3)(A) ~~Until the 2009-2010 school year, a~~ A student who is
34 identified as not meeting the ~~satisfactory pass levels~~ requisite scale score
35 for ~~an~~ a general end-of-course assessment shall not receive academic credit
36 on his or her transcript for the course related to the general end-of-course

1 assessment until the student is identified as having participated in
2 remediation through an individualized academic improvement plan.

3 (B) ~~Prior to the 2009-2010 school year, For the purpose of~~
4 a general end-of-course assessment, remediation does not require that a
5 student pass a subsequent end-of-course assessment in order to receive
6 academic credit for a course.

7 (d)(1)(A)(i) Beginning with the 2009-2010 school year, all initial
8 high-stakes end-of-course assessments for Algebra I shall be administered by
9 grade ten (10) ~~for each student or as allowed in subsection (f) of this~~
10 ~~section~~.

11 ~~(B) Any student who does not meet the satisfactory pass~~
12 ~~level on the initial assessment shall participate in an individualized~~
13 ~~academic improvement plan that shall include remediation activities and~~
14 ~~multiple opportunities for the student to take and pass subsequent end-of-~~
15 ~~course assessments.~~

16 (ii) Beginning with the 2013-2014 school year, all
17 initial high-stakes end-of-course assessments for English II shall be
18 administered by grade ten (10).

19 (iii) A student from an Arkansas public school who
20 completed and received academic credit on an end-of-course assessment for
21 Algebra I before the 2009-2010 school year or for English II before the 2013-
22 2014 school year is not required to participate in and receive academic
23 credit from a high-stakes end-of-course assessment on or after the 2009-2010
24 school year for Algebra I or on or after the 2013-2014 school year for
25 English II.

26 (iv) A student transferring into an Arkansas public
27 school on or after 2009-2010 for Algebra I or 2013-2014 for English II who
28 can demonstrate by official transcript from an out-of-state public, private,
29 or home school, or an Arkansas private or home school that he or she has
30 previously obtained academic credit for Algebra I or English II is not
31 required to participate in and receive academic credit from an initial high-
32 stakes end-of-course assessment unless the public school district assesses
33 the student's educational status and determines the student does not possess
34 the requisite passing knowledge of Algebra I or English II.

35 (B)(i) Beginning with the 2009-2010 school year, an
36 Arkansas public school student who is not in grade ten (10), grade eleven

1 (11), or grade twelve (12) in an Arkansas public school, and has not
2 previously received proper academic credit on his or her transcript for
3 Algebra I but has successfully completed an Algebra I course is required to
4 complete and successfully meet the requisite scale score on a high-stakes
5 end-of-course assessment before the student is entitled to receive academic
6 credit on his or her transcript for Algebra I.

7 (ii) Only a student who is in grade ten (10), grade
8 eleven (11), or grade twelve (12) in an Arkansas public school in the 2009-
9 2010 school year is exempt from the requirement of taking a high-stakes
10 Algebra I end-of-course assessment, but the student shall meet any general
11 end-of-course assessment requirements for Algebra I.

12 (iii) Any other student, regardless of the school
13 year or the grade level in which he or she completes an Algebra I course or,
14 beginning with the 2013-2014 school year, the English II course shall
15 successfully complete an Algebra I and English II high-stakes end-of-course
16 assessment and meet the requisite scale score in order to be entitled to
17 receive academic credit for Algebra I or English II on the student's
18 transcript, unless exempted under an individualized education program

19 (iv) A student transferring into an Arkansas public
20 school district without having obtained academic credit on his or her
21 transcript in or after the 2009-2010 school year for Algebra I and in or
22 after the 2013-1014 school year for English II is not exempt from the
23 requirements of subdivision (d)(1)(B)(iii) of this section.

24 (C) Beginning with the 2013-2014 school year, an Arkansas
25 public school student who is in grade ten (10) and who has not previously
26 received academic credit under (d)(1)(A) for English II shall successfully
27 complete the course and meet the requisite scale score on the English II
28 high-stakes end-of-course assessment in order for the student to be entitled
29 to receive academic credit for English II on the student's transcript.

30 (D)(i) A student who does not meet the requisite scale
31 score on the relevant high-states end-of-course assessment shall participate
32 in an individualized academic improvement plan.

33 (ii) An individualized academic improvement plan
34 shall include research-based remediation activities and multiple
35 opportunities for the student to take and pass subsequent high-stakes end-of-
36 course assessments as long as the student remains enrolled in an Arkansas

1 public school and has not reached twenty-one (21) years of age.

2 (iii) If after two subsequent high-stakes end-of-
3 course assessments a student does not meet the requisite scale score on the
4 initial high-stakes end-of-course assessment, the student shall participate
5 in strand analysis or formative analysis remediation provided and supported
6 by the Department of Education before taking a third or subsequent high-
7 stakes end-of-course assessment.

8 (iv) Subsequent high-stakes end-of-course
9 assessments and associated remediation programs may be administered in an
10 electronic format.

11 (2) For ~~any~~ a student required to participate in an
12 individualized academic improvement plan in subdivision ~~(d)(1)(B)~~ (d)(1)(D)
13 of this section, the individualized academic improvement plan shall identify
14 the student's specific areas of deficiency on the high-stakes end-of-course
15 ~~exam~~ assessment, the desired levels of performance necessary for the student
16 to meet the satisfactory pass levels, and the instructional and support
17 services to be provided to meet the desired levels of performance.

18 (3)(A) ~~Schools shall also provide for the~~ A public school also
19 shall provide frequent monitoring of the student's progress in meeting the
20 desired levels of performance.

21 (B) Remedial activities and instruction provided during
22 high school shall not be in lieu of English, mathematics, science, history,
23 or other core courses required for graduation.

24 (e)(1) Beginning with the 2009-2010 school year for Algebra I and the
25 2013-2014 school year for English II, ~~no~~ a student identified as not passing
26 an initial high-stakes end-of-course assessment shall not receive ~~a~~ an academic
27 credit on his or her transcript for the course related to the end-of-course
28 assessment and is not entitled to graduate from an Arkansas public high
29 school until:

30 (A) The student is identified as meeting ~~a satisfactory~~
31 ~~pass level~~ the requisite scale score on a subsequent high-stakes end-of-
32 course assessment; or

33 (B)(i) The student is identified as ~~having finished by the~~
34 ~~end of grade twelve (12) an appropriate alternative exit course and is~~
35 ~~identified as having met a satisfactory pass level on an alternative~~
36 ~~assessment directly related to the alternative exit course pursuant to § 6-~~

1 ~~15-2010~~ meeting the requisite score established by state board rule on an
2 alternative assessment.

3 (ii) An alternative assessment shall be an ACT
4 assessment, SAT assessment, advanced placement test, or International
5 Baccalaureate test.

6 (2)(A) ~~Any~~ A student identified as having not met the
7 ~~satisfactory pass levels of an initial~~ requisite scale score for a high-
8 stakes end-of-course assessment shall not receive academic credit on his or
9 her transcript for the related course until the student meets the
10 requirements of subdivision (e)(1) of this section.

11 (B) If a student does not meet the ~~satisfactory pass~~
12 ~~levels on an initial~~ requisite scale score on an end-of-course assessment ~~or~~
13 and does not satisfy the remedial requirements of ~~subdivisions (d)(1)(B)~~
14 subsection (c) of this section for general end-of-course assessments and
15 subdivision (e)(1) of this section for high-stakes end-of-course assessments,
16 the student shall not be entitled to graduate with a high school diploma from
17 an Arkansas public high school or public charter school.

18 (f)(1)(A) The state board shall establish the high-stakes end-of-
19 course assessment program required in subsection (d) of this section for
20 Algebra I beginning in the 2009-2010 school year and for English II beginning
21 in the 2013-2014 school year.

22 (B) Throughout this process, the end-of-course assessment
23 program shall ~~ever~~ be maintained in such a manner as to meet the requirements
24 of state and federal law, including the full range of students with
25 disabilities.

26 (2)(A) The superintendent of each public school district shall
27 be responsible for the proper administration of this section and ~~those~~ the
28 rules promulgated by the state board to implement the requirements of this
29 section.

30 (B) To the extent that ~~any~~ a public school district is
31 determined to have knowingly failed to administer these provisions of law or
32 rules, the superintendent's license shall be subject to probation,
33 suspension, or revocation ~~pursuant to the process set forth in accordance~~
34 with under § 6-17-410.

35 (3) Each year the ~~Department of Education~~ department shall make
36 public at least fifty percent (50%) of the test questions on the most recent

1 initial benchmark and end-of-course assessments.

2 (4) The state board shall promulgate ~~any~~ rules to establish cut
3 scores, remediation programs required in (d)(1)(D), and other components of
4 the general end-of-course assessment program and high-stakes end-of-course
5 assessment program necessary to administer the provisions of this subsection.

6 (5)(A) Each school year, the department shall establish and
7 publish by commissioner's memo an end-of-course assessment cycle for general
8 end-of-course assessments and high-stakes end-of-course assessments that a
9 public school district shall follow unless the public school district has
10 obtained a written waiver from the department.

11 (B) The end-of-course assessment cycle shall include an
12 assessment cycle for a student who does not meet the requisite scale score
13 for an initial high-stakes end-of-course assessment and is required under
14 this section to pass a subsequent end-of-course assessment before receiving
15 academic credit on the student's transcript for the course that corresponds
16 to the initial end-of-course assessment.

17 (6)(A) The department shall develop the form of end-of-course
18 assessments and subsequent end-of-course assessments with the documents,
19 manuals, forms, and protocols necessary for the proper administration,
20 completion, submission, and scoring of the assessment.

21 (B) The assessment shall be composed of sections that may
22 include both multiple choice and open-response test items.

23 (7) For the 2009-2010 school year and each school year
24 thereafter, the department shall take steps to ensure that the end-of-course
25 assessments are aligned with state standards and that professional
26 development training is available to teachers of courses for which an end-of-
27 course assessment is required.

28 (8) Within fifteen (15) business days from the date a public
29 school district receives a student's score that indicates the student did not
30 meet the requisite scale score on an initial and subsequent end-of-course
31 assessment required by this section, the public school district shall provide
32 written notice of the failure to the student's parent or guardian.

33 (9) If a student with disabilities identified under the
34 Individuals with Disabilities Education Act, 20 U.S.C. § 1400 et seq. is
35 unable to meet the requirements of this section because of the nature of the
36 student's disabilities, the student may graduate from high school by

1 demonstrating alternative competencies or alternative levels of competency
2 under the student's individualized education program.

3 (10) In administering the assessments under this section, the
4 public school district shall provide state-approved accommodations for
5 students with state-recognized disabilities and for English language learners
6 as allowed by law and state board rules.

7
8 SECTION 5. Arkansas Code § 6-15-2010 is repealed:

9 ~~6-15-2010. Alternative exit course and alternative course exam.~~

10 ~~(a)(1) No student who is identified as having failed to meet the~~
11 ~~satisfactory pass levels on an initial end-of-course assessment shall be~~
12 ~~entitled to take more than three (3) additional subsequent end-of-course~~
13 ~~assessments.~~

14 ~~(2)(A) Any student who fails to be identified as meeting the~~
15 ~~satisfactory pass levels after taking at least three (3) subsequent end-of-~~
16 ~~course exams shall be required to take and pass an alternative exit course~~
17 ~~and meet a satisfactory alternative level score on a subsequent alternative~~
18 ~~assessment prior to being entitled to graduate with a high school diploma~~
19 ~~from an Arkansas high school or open enrollment charter school.~~

20 ~~(B) If a student with disabilities identified under the~~
21 ~~Individuals with Disabilities Education Act, 20 U.S.C. 1400 et seq., is~~
22 ~~unable to meet the requirements of subdivision (a)(2)(A) of this section~~
23 ~~because of the nature of his or her disabilities, the student may graduate~~
24 ~~from high school by demonstrating alternative competencies or alternative~~
25 ~~levels of competency as contained in the student's individualized education~~
26 ~~program.~~

27 ~~(3) Prior to the administration of any additional end-of-course~~
28 ~~assessment as permitted under § 6-15-2009 (d)(1)(B), a student shall be given~~
29 ~~a sufficient opportunity and time for remediation.~~

30 ~~(b) The alternative exit course may be offered through a distance~~
31 ~~learning class and may be offered by the school district outside the course~~
32 ~~of the normal school day.~~

33 ~~(c) The State Board of Education shall promulgate any rules necessary~~
34 ~~to administer the provisions of this subsection.~~

35
36 SECTION 6. EMERGENCY CLAUSE. It is found and determined by the

1 General Assembly of the State of Arkansas that end-of-course assessments for
2 public school students assist the state in measuring a student's proficiency
3 in reading, writing, and mathematics, which is essential to academic
4 progression for students; that a specified effective date for this act is
5 essential to the continuity of public student assessments, which begin with
6 an early fall testing cycle, and to the efficient operation of the Department
7 of Education and the public schools of this state in preparing for the fall
8 2009 testing cycle; and that this act is immediately necessary because any
9 delay could work irreparable harm to the department, to the public school
10 districts, and to the students. Therefore, an emergency is declared to exist
11 and this act being necessary for the preservation of the public peace,
12 health, and safety shall become effective on July 1, 2009.

13
14 */s/ Abernathy*

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16 **APPROVED: 4/9/2009**
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ARKANSAS DEPARTMENT OF EDUCATION
PROPOSED RULES GOVERNING THE ARKANSAS COLLEGE AND CAREER
READINESS PLANNING PROGRAM
September 30, 2009 (DRAFT)

1.00 REGULATORY AUTHORITY

- 1.01 These regulations are enacted pursuant to the authority contained in Ark. Code Ann. §§ 6-11-105 and 6-15-441 (Act 730 of 2009).

2.00 PURPOSE

- 2.01 The purpose of these rules is to establish guidelines for the implementation of the Arkansas College and Career Readiness Planning Program.

3.00 DEFINITIONS

For purposes of these rules, each term below shall be defined as follows:

- 3.01 “College readiness assessment” means a test of student educational development that measures student readiness for future learning that is used by institutions of higher education as part of their admissions, placement, and scholarship processes and/or high schools to improve college and workforce readiness.
- 3.02 “College and career readiness” means that a student is academically ready to succeed in college-level courses or in the workforce without the need to enroll in remedial courses during the student’s first year.
- 3.03 “EXPLORE” means the pre-ACT assessment designed to help students in grade eight (8) explore a broad range of options for their future and focus not only on high school coursework but also on post-high school choices as well.
- 3.04 “PLAN” means the pre-ACT assessment for students in grade ten (10) used to help a student focus attention on improved academic achievement, career preparation, and planning for post-high school years.
- 3.05 “PSAT” means the Preliminary SAT/National Merit Scholarship Qualifying Test that provides practice for the SAT Reasoning Test and gives students feedback on individual strengths and weaknesses on college readiness skills.

4.00 PROGRAM IMPLEMENTATION

- 4.01 Beginning with the 2010-2011 school year, each public school that serves students in grade eight (8) shall administer EXPLORE to each student enrolled in grade eight (8) at the public school.
- 4.02 Beginning with the 2010-2011 school year, each public school that serves students in grade ten (10) shall administer PLAN or the PSAT to each student enrolled in grade ten (10) at the public school.
- 4.03 Funding for the college readiness assessments listed in Sections 4.01 and 4.02 of these Rules will be provided by the Arkansas Department of Education (ADE) using at-risk funding.
- 4.04 Each public school district administering the college readiness assessments under this section shall use the college readiness assessments to assist students with college and workforce readiness skills, course selection in high school, and improved academic achievement.
- 4.05 By the 2011-2012 school year, each public school shall fully incorporate the results from the college readiness assessments into the college and career planning process for each student.

5.00 PROGRAM EVALUATION

- 5.01 Data collection shall be maintained by the ADE for the purpose of:
 - 5.01.1 Increasing college and career readiness skills;
 - 5.01.2 Improving instruction;
 - 5.01.3 Enhancing school improvement plans; and
 - 5.01.4 Reducing the college remediation rates of students.
- 5.02 The ADE shall report to the House Committee on Education and the Senate Committee on Education no later than September 30 of each year on the implementation and effectiveness of the College and Career Readiness Planning Program.
- 5.03 School guidance counselors serving students in Grades 8-12 shall provide career guidance utilizing the results of college readiness assessments and shall document the use of college readiness assessments in the Student Services Plan, and the ADE shall monitor such Student Services Plan to ensure public school compliance with the use of college readiness assessments.

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

Act 730 of the Regular Session

1 State of Arkansas

As Engrossed: H3/9/09

2 87th General Assembly

A Bill

3 Regular Session, 2009

HOUSE BILL 1808

4

5 By: Representatives Allen, J. Roebuck, Abernathy, T. Baker, Betts, Blount, T. Bradford, Carnine,
6 Cheatham, Cole, Cook, Davis, J. Dickinson, Greenberg, Hardy, D. Hutchinson, W. Lewellen, Saunders,
7 G. Smith, Stewart, Summers, Tyler, Williams

8 By: Senator G. Baker

9

10

11

For An Act To Be Entitled

12

AN ACT TO CREATE THE ARKANSAS COLLEGE AND CAREER

13

READINESS PLANNING PROGRAM ACT; TO LOWER

14

EDUCATIONAL COSTS, SHORTEN A STUDENT'S TIME TO

15

DEGREE COMPLETION, AND INCREASE THE OVERALL

16

SUCCESS RATE OF ARKANSAS STUDENTS BY REDUCING THE

17

NEED FOR REMEDIATION; TO ENSURE THAT STUDENTS

18

HAVE THE CAREER READINESS SKILLS TO COMPETE IN

19

THE GLOBAL ECONOMY; AND FOR OTHER PURPOSES.

20

21

Subtitle

22

TO CREATE THE ARKANSAS COLLEGE AND

23

CAREER READINESS PLANNING PROGRAM ACT.

24

25

26 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

27

28 SECTION 1. FINDINGS. The General Assembly finds that:

29

30 (1) Many Arkansas students enter college unprepared for the
academic rigors of college and require noncredit remedial courses to attain
31 skills and knowledge needed for regular credit coursework;

32

33 (2) There is a direct and significant link between students
being academically prepared for college and success in postsecondary
34 endeavors;

35

(3) Remediation lengthens the time required to obtain a degree.



1 imposes additional costs on students and colleges, and uses student financial
2 aid for courses that will not count toward a degree;

3 (4) A precollege readiness assessment program in public high
4 schools using pre-ACT or pre-SAT assessments will provide early benchmarks
5 for student performance on college readiness exams and inform high school
6 guidance counselors and teachers who assist students with academic
7 achievement, course selection, and college readiness skills;

8 (5) A precollege readiness assessment program will provide
9 reportable statewide data, enabling policy and program development that will
10 benefit schools, parents, and students; and

11 (6) Consistent use of precollege assessments will increase the
12 number of successful student transitions into postsecondary education.

13
14 SECTION 2. Arkansas Code Title 6, Chapter 15, Subchapter 4, is amended
15 to add an additional section to read as follows:

16 6-15-441. Arkansas College and Career Readiness Planning Program.

17 (a) As used in this section:

18 (1) "College readiness assessment" means a test of student
19 educational development that measures student readiness for future learning
20 that is used by:

21 (A) Institutions of higher education as part of their
22 admissions, placement, and scholarship processes; and

23 (B) High schools to improve college and workforce
24 readiness;

25 (2) "College and career readiness" means that a student is
26 academically ready to succeed in college-level courses or in the workforce
27 without the need to enroll in remedial courses during the student's first
28 year;

29 (3) "EXPLORE" means the pre-ACT assessment designed to help
30 students in grade eight (8) explore a broad range of options for their future
31 and focus not only on high school coursework but also on post-high school
32 choices as well;

33 (4) "PLAN" means the pre-ACT assessment for students in grade
34 ten (10) used to help a student focus attention on improved academic
35 achievement, career preparation, and planning for post-high school years; and

36 (5) "PSAT" means the Preliminary SAT/National Merit Scholarship

1 Qualifying Test that provides practice for the SAT Reasoning Test and gives
2 students feedback on individual strengths and weaknesses on college readiness
3 skills.

4 (b)(1)(A) Beginning with the 2010-2011 school year, each public school
5 that serves students in grade eight (8) shall administer EXPLORE to each
6 student enrolled in grade eight (8) at the public school.

7 (B) Beginning with the 2010-2011 school year, each public
8 school that serves students in grade ten (10) shall administer PLAN or the
9 PSAT to each student enrolled in grade (10) at the public school.

10 (2) Funding for the college readiness assessments listed in
11 subdivision (b)(1) of this section may be paid by using Department of
12 Education at-risk funding.

13 (c)(1) Each public school administering the college readiness
14 assessments under this section shall use the college readiness assessments to
15 assist students with college and workforce readiness skills, course selection
16 in high school, and improved academic achievement.

17 (2) By the 2011-2012 school year, each public school shall fully
18 incorporate the results from college readiness assessments listed in
19 subdivision (b)(1) of this section into the college and career planning
20 process for each student.

21 (d) Data collection shall be maintained by the Department of Education
22 for the purpose of:

23 (1) Increasing college and career readiness skills;

24 (2) Improving instruction;

25 (3) Enhancing school improvement plans; and

26 (4) Reducing the college remediation rates of students.

27 (e) The Department of Education shall report to the House Committee on
28 Education and The Senate Committee on Education no later than September 31,
29 2010, and each year thereafter, on the implementation and effectiveness of
30 the College and Career Readiness Planning Program.

31 (f) The department shall promulgate rules to implement this section
32 and shall monitor the use of college readiness assessments administered under
33 this section to ensure public school compliance.

34
35 /s/ Allen

36 APPROVED: 4/1/2009

Arkansas Department of Education
Rules Governing Eligibility and Financial Incentives
For National Board For Professional Teaching Standards Candidacy and Certification
Revised February 2010

1.00 Regulatory Authority

- 1.01 These rules shall be known as the Department of Education (Department) Rules Governing the National Board for Professional Teaching Standards Program (NBPTS Program).
- 1.02 These rules are enacted under the State Board of Education's (State Board) authority pursuant to Ark. Code Ann. §§6-11-105, 6-17-412, and 6-17-413.

2.00 Purpose

- 2.01 To improve student learning by strengthening teaching and to encourage teachers to participate in and complete NBPTS certification by authorizing the Department to pay full tuition and incentive bonuses to participants and by establishing eligibility requirements.
- 2.02 To outline the establishment of a support program for NBPTS, and
- 2.03 To establish the mechanism for the selection of teacher participants, as determined by the amount of funding available for the program.

3.00 Definitions

For the purposes of these rules, the following terms shall mean:

- 3.01 "Completion of the certification process" will be defined as officially being recognized as a National Board Certified Teacher (NBCT) by the NBPTS.
- 3.02 "National Board for Professional Teaching Standards" will be defined as an independent board which reliably identifies and certifies teachers who meet advanced standards and certifications by effectively enhancing student learning and demonstrating the high level of knowledge and skills, dispositions, and commitments reflected in the following five core propositions:
 - 3.02.1 Teachers are committed to students and their learning.
 - 3.02.2 Teachers know the subjects they teach and how to teach those subjects to students.
 - 3.02.3 Teachers are responsible for managing and monitoring student learning.

- 3.02.4 Teachers think systematically about their practice and learn from experience.
- 3.02.5 Teachers are members of learning communities.
- 3.03 “A support program for candidates” is a comprehensive process of technical and financial assistance provided to program applicants to ensure successful program completion, as Ark. Code Ann. §6-17-413 allows.
- 3.04 “The NBPTS Advisory Committee” (the Committee) is a ten (10) member team of three (3) National Board Certified Teachers, three (3) National Board facilitators, and four (4) educational administration or business representatives, to include one Department staff member, which will advise the Department on policy issues, assist in the support system, and select candidates based on relevant criteria when all candidates cannot be funded; such criteria to be established by the Committee in accordance with law and with final review and approval by the State Board.
- 3.05 “Classroom teacher” means a teacher who is required to hold a standard teaching license from the Department and who is engaged directly in instruction with students in a classroom setting for more than seventy percent (70%) of the individual’s contracted time, with that 70% allowed to include:
 - 3.05.1 regularly scheduled instructional preparation time during the regular school day;
 - 3.05.2 a maximum of one period per day service as an instructional department chair;
 - 3.05.3 service as a master teacher in a charter school;
 - 3.05.4 service as a mentor to a novice teacher;
 - 3.05.5 employment by an educational service cooperative when the teacher provides direct student services for a collaborative of school districts in public school buildings and other instructional settings throughout the cooperative area; and
 - 3.05.6 instructional positions such as library/media specialist, school guidance counselor, literacy specialist, math specialist or others for whom NBPTS certificates specifically exist.
- 3.06 “Classroom setting” for purposes of candidacy means full-time assignment to a setting in a specific Arkansas public school building or buildings in which a teacher works directly with a student or students and for purposes of a starting or a yearly bonus means full-time assignment to a setting in a school building(s) or other instructional settings cited in §3.05.05 where an NBCT is directly involved in the instructional process by teaching children, by facilitating the instructional process through work with building teachers in classrooms, or by serving in the role of building administrator, assistant building administrator, district curriculum

administrator, or program administrator.

- 3.07 “Higher education eligibility” refers to teachers who have worked a minimum of three (3) years with National Board certification as a classroom teacher, building-level principal, building-level assistant principal, district curriculum administrator, or program administrator in an Arkansas public school district before full time employment as a teacher in an accredited teacher preparation program at a state-sponsored institution of higher education.
- 3.08 “Starting bonus” means a one-time bonus given during the school year in which an individual first obtains National Board certification. The amount is \$5,000. This provision shall apply only to the extent that necessary funds are appropriated to the Department.
- 3.09 “Yearly bonus” means a bonus that a NBCT receives in each of years two (2) through ten (10) of the 10-year life of the certificate. The amount is \$5,000. This provision shall apply only to the extent that necessary funds are appropriated to the Department.
- 3.10 “Three (3) continuous years” means the three-year period following certification that includes the year of certification and the two years immediately following certification.
- 3.11 “Three (3) years of teaching in the Arkansas public school system”, as required for state support of candidacy, shall be credited beginning no earlier than the year in which the initial license to teach in an Arkansas public school is issued.

4.00 Selection Process and Requirements for NBPTS Support

- 4.01 Qualified NBPTS applicants will establish eligibility for funding by:
- 4.01.1 successfully completing the official application process established by the Department;
 - 4.01.2 never having received any prior state funding for participation in a certification area in the NBPTS program;
 - 4.01.3 verifying at least three (3) years teaching experience in Arkansas public schools that can include the years following initial licensure, a current standard Arkansas teaching license, and current employment as an Arkansas public school classroom teacher in a classroom setting; and
 - 4.01.4 teaching in an area that correlates to an available and suitable National Board certificate area.
- 4.02 When candidate demands exceed funding availability, the NBPTS Advisory Committee will review and recommend to the Department an appropriate selection of

candidates to be funded.

4.03 At the time that the National Board establishes a certification for school administrators and an Arkansas district-level central office administrator becomes national board certified, the district level central office administrator will be eligible to receive incentive bonuses in the amount awarded to NBCTs for every year for the life of the NBPTS administrator's certificate.

4.04 Achieving NBCT status prior to renewal of the Arkansas standard teaching license satisfies professional development requirements for the one-year teaching-license renewal period. The Department will supply the appropriate form to be submitted with the teaching license renewal documents.

4.04.1 Achieving a total score of 225 across all of the ten entries submitted to the NBPTS satisfies one-half of the professional development requirements for the period between the beginning and end of one renewal period.

5.00 Payment of Fees and Bonuses for NBPTS Candidacy and Certification

5.01 The Department shall pay full tuition for the NBPTS initial participation fee, one retake entry fee, and up to three days of school release time to qualified teacher applicants as funds are available.

5.02 The Department shall pay a starting bonus in the first year of certification and a yearly bonus for each of the remaining nine years of the ten-year certificate to any NBCT who is employed in an Arkansas public school district (except as prescribed in Section 5.02.1) as a teacher in accordance with Section 3.05-3.06 of these rules. This bonus will be paid to:

5.02.1 Eligible NBCTs participating in State Board approved teaching excellence programs such as Arkansas Teacher of the Year, or

5.02.2 Any NBCT who has successfully completed the NBPTS certification as a classroom teacher and is employed in an Arkansas public school district as a building administrator, assistant building administrator, district curriculum administrator, or program administrator, or

5.02.3 Any NBCT after working a minimum of three (3) years with National Board certification as a classroom teacher or employed as a building level administrator, building level assistant administrator, district curriculum administrator, or program administrator in an Arkansas public school district; an NBCT may be employed full time as a teacher in an accredited teacher preparation program at a state-sponsored institution of higher education holding National Board certification on or after August 1, 2009.

5.02.3.1 A bonus payment shall not be made retroactively.

5.02.3.2 Bonuses shall be paid to those described in Section 5.02.3 of these rules 30 days prior to the closing of the fiscal year only if funds are available after payments are made to those eligible under sections 5.02, 5.02.1, 5.02.2, and 5.03 of these rules.

5.03 Any NBCT who moves into the state and teaches in an Arkansas public school classroom shall be eligible for the yearly bonus for every remaining year in the life of the NBPTS certificate; provided that the same bonus is available to a NBCT who moves into the state and assumes the position of building administrator, assistant building administrator, district curriculum administrator, or program administrator in a public school district for the life of the NBPTS certificate.

5.04 Available funds for NBPTS state activities support functions in this order of priority: (a) payment of bonus incentives; (b) initial fee payments; (c) necessary program expenses; (d) support system expenses; and (e) retake entry fees.

5.05 No increase in the starting or yearly bonus is retroactive.

5.06 The Department will issue a provisional or standard Arkansas teaching license in compatible areas to any National Board certified teacher, building-level principal, or building level assistant principal trained in and holding a valid license issued by a state other than Arkansas who moves to Arkansas, provided that the NBCT status is current at the time of license application and that the applicant passes the required criminal background check.

5.07 An Arkansas-licensed teacher who personally pays the expenses of NBPTS candidacy and becomes a NBCT is eligible for a starting and yearly bonus under the same terms as a NBCT who achieves certification through state fee support.

5.08 Provisions of Ark. Code Ann. §§6-17-412 and §§6-17-413 apply only to the extent that necessary funds are appropriated to the Department.

6.00 Repayment of Fees for NBPTS

6.01 Repayment of state funds for the NBPTS is required if a recipient:

6.01.1 does not complete the certification process within three years after entry,

6.01.2 becomes a NBCT with the support of state funds, does not teach in an Arkansas public school classroom in an Arkansas public school district for three (3) continuous school years or does not serve as a building level administrator, building level assistant administrator, district curriculum administrator, or program administrator for three (3) continuous years after achieving NBCT status.

6.02 Repayment of funds is not required if the candidate is forced to withdraw from candidacy due to:

6.02.1 death or disability of the teacher, or

6.02.2 other serious extenuating circumstances and/or health related problems verified by a licensed physician as may be recognized by the State Board.

6.03 The State Board can revoke a teaching license for failure to repay state funds.

7.00 Support Program for Teachers Selected to Participate in NBPTS Candidacy

7.01 The State Board will establish a support program for teachers selected to participate in NBPTS by:

7.01.1 establishing a variety of support opportunities such as annual pre-candidacy orientations, regular meetings of participants, telephone/email contact with facilitators and NBCTs, and Department intervention with NBPTS if necessary;

7.01.2 providing information on the NBPTS state support program on the Department web site;

7.01.3 providing other assistance, if determined to be necessary by the Department; and

7.01.4 designating Department staff to coordinate NBPTS activities at the state level.

7.02 Provisions of Ark. Code Ann. §§6-17-412 and 6-17-413 apply only to the extent that necessary funds are appropriated to the Department.

8.00 Monitoring for NBPTS

8.01 The local public school district that employs a NBCT must verify to the Department annually the employment status of that teacher for each year of the ten-year life of the certificate.

8.02 A person shall not receive either a starting bonus or a yearly bonus if the person:

8.02.1 leaves the full-time employment of an Arkansas public school district;

8.02.2 becomes employed as a district-level central office administrator (subject to the provisions of Section 4.03);

8.02.3 is employed by an Arkansas institution of higher education and does not meet the requirements as defined in Sections 3.07 and 5.02.03 of these rules; or

8.02.4 is employed by an education service cooperative and does not teach in a classroom with students as defined in Sections 3.05-3.06 of these rules.

9.00 Funding for NBPTS Candidacy and Certification

9.01 Provisions of Ark. Code Ann. §§6-17-412 and 6-17-413 apply only to the extent that funds are appropriated to the Department to pay for these provisions.

9.02 To the extent funds as provided for by Ark. Code Ann. §26-52-311(c) (3) (B) are available, such funds may be used to fund the “starting incentive bonus” and the “yearly incentive bonus” required in §§3.07 and 3.08 of these rules and required by Ark. Code Ann. §6-17-413.

Arkansas Department of Education
Rules Governing Eligibility and Financial Incentives
For Certified Speech-Language Pathologists
Draft Proposal March 2010

1.00 Regulatory Authority

- 1.01 These rules shall be known as the Department of Education (Department) Rules Governing Certified Speech-Language Pathologists.
- 1.02 These rules are enacted under the State Board of Education's (Board) authority pursuant to Ark. Code Ann. §§ 6-11-105 and 6-17-413.

2.00 Purpose

- 2.01 The purposes of these rules are to ensure the availability and retention of certified speech-language pathologists by providing additional compensation for speech-language pathologists holding a National Certificate of Clinical Competence in Speech Language Pathology from the American Speech-Language-Hearing Association.

3.00 Definitions

For the purposes of these rules, the following terms shall mean:

- 3.01 "Certified speech- language pathologist" means a speech-language pathologist who:
 - 3.01.1 Has a master's degree, which includes medical-based training;
 - 3.01.2 Has completed a one (1) year clinical fellowship;
 - 3.01.3 Has passed the specialty area of the National Teachers Examination; and
 - 3.01.4 Holds a Certificate of Clinical Competence in Speech-Language Pathology from the American Speech-Language-Hearing Association.

4.00 Payment of Bonuses for Speech-Language Pathologists

- 4.01 The Department shall pay a yearly incentive bonus of five thousand dollars (\$5,000) to a certified speech-language pathologist who:
 - 4.01.1 Holds an Arkansas teaching license in speech-language pathology;
 - 4.01.2 Is a full-time employee of an Arkansas education service cooperative or public school district as a speech-language pathologist at the time of receiving the bonus;
 - 4.01.3 Is not considered a purchased service contractor, but may be employed under a teacher contract subject to renewal under Ark. Code Ann. § 6-17-1506.

5.00 Monitoring for Speech-Language Pathologists

- 5.01 The local public school district that employs a speech-language pathologist must verify to the Department annually the employment status of that speech-language pathologist.
- 5.02 A speech-language pathologist shall not receive a yearly bonus if the person leaves the full-time employment of an Arkansas public school district.

6.00 Funding for Speech-Language Pathologists

- 6.01 Bonuses paid to a certified speech-language pathologist shall be paid from the funds appropriated and available for bonuses to speech-language pathologist.
 - 6.01.1 If sufficient funds are not available to pay the full amount of the bonus to each certified speech-language pathologist as provided under this section, the Department may reduce the amount of the bonus for each qualified recipient, proportionately as necessary to provide a bonus to each qualified speech-language pathologist in an equal amount.
 - 6.01.2 The cost and expenses related to training for or acquisition of the Certificate of Clinical Competence in Speech-Language Pathology from the American Speech-Language-Hearing Association shall not be funded through the National Board for Professional Teaching Standards program created under this section and Ark. Code Ann. § 6-17-412 and shall be the responsibility of the certified speech-language pathologist.
 - 6.01.3 Although a certified speech-language pathologist entitled to a bonus will hold a valid Arkansas teaching license in speech-language pathology, references to "teacher" under this section shall mean a classroom teacher as defined under Ark. Code Ann. § 6-17-412(a)(1) who are in the National Board for Professional Teaching Standards program but not certified speech-language pathologists.

ARKANSAS STATE BOARD OF HEALTH

RULES AND REGULATIONS PERTAINING TO IMMUNIZATION REQUIREMENTS



Promulgated Under the Authority of Ark. Code Ann. §§ 20-7-109, 6-18-702, 6-60-501 - 504, and 20-78-206.

By the Arkansas State Board of Health Arkansas Department of Health

Little Rock, Arkansas ~~January 2008~~

M A R K U P

April 23, 2009

**RULES AND REGULATIONS
PERTAINING TO IMMUNIZATION REQUIREMENTS**

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SECTION I. AUTHORITY.

The following Rules and Regulations Pertaining to Immunization Requirements are duly adopted and promulgated by the Arkansas State Board of Health pursuant to the authority expressly conferred by the laws of the State of Arkansas including, without limitation, Ark. Code Ann. § 20-7-109, Ark. Code Ann. § 6-18-702, Ark. Code Ann. §§ 6-60-501 - 504, and Ark. Code Ann. § 20-78-206.

SECTION II. PURPOSE.

Immunizations against poliomyelitis, diphtheria, tetanus, pertussis, red (rubeola) measles, mumps, rubella, varicella (chickenpox), *Haemophilus influenzae* type b, hepatitis B, and pneumococcal, and other communicable diseases have resulted in a dramatic decrease in the incidence of these diseases in Arkansas. However, these diseases continue to occur in childcare facilities, schools, and colleges and universities. A requirement that children and students furnish proof that they have immunity against certain communicable diseases will reduce the potential for an outbreak of those diseases.

SECTION III. IMMUNIZATION REQUIREMENTS.

A. Childcare and Early Childhood Education Facilities.

1 Except as otherwise provided in these regulations, no infant or child shall be admitted to attend a childcare facility in this state who has not been age-appropriately immunized against poliomyelitis, diphtheria, tetanus, pertussis, red (rubeola) measles, rubella, mumps, Haemophilus influenzae type b, hepatitis B, pneumococcal disease and varicella (chickenpox) (See Table I.), as evidenced by an immunization record from a certificate of a licensed physician, an advanced practice nurse (pursuant to Arkansas Code §17-87301, et.seq.), or a public health department acknowledging the immunization.

2 Every child must have received all of the vaccines, be in-process of receiving needed doses listed in Table I for their age, or show proof that they have applied for an exemption for those vaccines he/she has not received in order to continue attendance in a childcare facility. If the child does not meet the immunization requirements for entering the childcare facility, refer the child to a medical authority (private doctor or health department) for immunization or consultation.

3 A facility may temporarily admit a child provided that the child becomes age-appropriately immunized, is in-process of receiving the needed doses of vaccine, or obtains an exemption for those vaccines he/she has not received within fifteen (15) program days after the child's original admission. "In process" means the child has received at least one dose of the required immunizations and is waiting the minimum time interval to receive the additional doses. When a child is admitted who is in the process of completing the required minimum immunizations, the childcare facility shall require each child to complete the required doses on schedule. A written statement from a public health nurse or private physician stating that the child is in process and containing a date when he/she must return for the next immunization shall be in the child's file. If a child does not produce documentation of additional immunizations per the schedule or show proof that they have applied for an exemption from the immunization requirements, they he/she must be excluded from the childcare facility until documentation is provided. The immunization series does not need to be restarted as each dose of vaccine counts toward the minimum requirements.

4 Childcare facilities are required to evaluate the immunization status of all children in their facilities. Table I is used to determine if the child meets the immunization requirements to be admitted to and continue attendance in a childcare facility.

5 The Division of Child Care and Early Childhood Education shall be responsible for enforcing immunization requirements with respect to childcare facilities.

B. Kindergarten Through Grade Twelve.

1 Except as otherwise provided in these regulations, no child shall be admitted to a public or private school of this state who has not been immunized against poliomyelitis, diphtheria, tetanus, pertussis, red (rubeola) measles, rubella, mumps, hepatitis B, and varicella (chickenpox) (See Table II.), as evidenced by a certificate of an immunization record from a licensed physician, an advanced practice nurse (pursuant to Arkansas Code §17-87-301, et. seq.), or a public health department acknowledging the immunization.

2 The requirements for entry into school are:

Kindergarten: At least four doses of Diphtheria/Tetanus/Acellular Pertussis (DTaP), Diphtheria/Tetanus/Pertussis (DTP), or Diphtheria/Tetanus (DT pediatric) vaccine; at least three doses of Polio vaccine; two doses of MMR (measles, mumps, and rubella) vaccine-Rubeola (measles) vaccine, one dose of Rubella (German measles) vaccine, one dose of Mumps vaccine; three doses of Hepatitis B vaccine; and one two doses of Varicella (chickenpox) vaccine without accepting history of disease in lieu of receiving Varicella vaccine (See Table II). Exception: If a student has previously received two doses of measles, one dose of mumps and one dose of rubella

before August 1, 2009, the doses will be accepted as compliant to immunization requirements and 2 MMRs are not required.

1st through 12th grade: At least three doses of Diphtheria/Tetanus/Acellular Pertussis (DTaP), Diphtheria/Tetanus/Pertussis (DTP), Diphtheria/Tetanus (DT-pediatric), ~~or~~ Tetanus/Diphtheria (Td-adult) or Tetanus/Diphtheria/Acellular Pertussis (Tdap-adult); at least three doses of Polio vaccine; two doses of MMR (measles, mumps, and rubella) vaccine ~~Rubeola (measles) vaccine, one dose of Rubella (German measles) vaccine, one dose of Mumps vaccine,~~ and an appropriate series of Hepatitis B vaccine. (See Table II). Exception: If a student has previously received two doses of measles, one dose of mumps and one dose of rubella before August 1, 2009, the doses will be accepted as compliant to immunization requirements and 2 MMRs are not required.

7th grade: In addition to the vaccines requirements listed under 1st through 12th grade, one dose of Tdap vaccine if applicable (See Table II) and one or two doses of Varicella (chickenpox) vaccine. A parent/guardian or physician history of disease may be accepted in lieu of receiving Varicella vaccine. (See Table II.)

3. A facility may temporarily admit a child provided that the child becomes appropriately immunized, is in-process of receiving the needed doses of vaccine, or shows proof that they have applied for an exemption for those vaccines he/she has not received within thirty (30) calendar days after the child's original admission. "In process" means the student has received at least one dose of the required immunizations and is waiting the minimum time interval to receive the additional doses. When a student is admitted who is in the process of completing the required minimum immunizations, the facility shall require each student to complete the required doses on schedule. A written statement from a public health nurse or private physician stating that the student is in process and containing a date when he/she must return for the next immunization shall be in the student's file. If a student does not produce documentation of additional immunizations per the schedule or show proof that they have applied for an exemption from the immunization requirements, they must be excluded from the facility until documentation is provided. The immunization series does not need to be restarted as each dose of vaccine counts toward the minimum requirements.

4. School officials should evaluate the immunization status of all children in their facilities. Table II is used to determine if the child meets the immunization requirements to enter school.

5. School boards, superintendents, and principals shall be responsible for enforcing immunization requirements with respect to kindergarten through grade 12 (K-12).

C. Colleges and Universities.

1. To attend a public or private college or university in this state, a part-time student housed in on-campus premises and a full-time student must show proof of immunization, immunity, a medical or non-medical exemption or birth before 1957 for the following requirements:
 - a) For incoming freshmen and foreign-born students, two doses of MMR (measles, mumps, and rubella) vaccine. (See Table III.)
 - b) For all other students, one dose of MMR (measles, mumps, and rubella) vaccine. (See Table III.)

Exception: If a student has previously received two doses of measles, one dose of mumps and one dose of rubella before August 1, 2009, the doses will be accepted as compliant to immunization requirements and 2 MMRs are not required.

2. Proof of immunization, immunity, a medical or non-medical exemption, or birth before 1957 must be provided within such time as set by the college or university but not to exceed thirty (30) calendar days after enrollment.
 - a) Acceptable proof of immunization is an official immunization record from another educational institution in Arkansas, a licensed medical doctor, an advanced practice nurse (pursuant to Arkansas Code §17-87-301, et. seq.), or an authorized public health representative, or military service.
 - b) In lieu of receiving vaccine, immunity can be shown by providing documented evidence of appropriate serological testing.
 - c) Proof that the student has applied for or received a medical or non-medical exemption for those vaccines he/she has not received will be accepted in lieu of receiving vaccine.

- d) Proof that the student was born prior to January 1, 1957, will be accepted in lieu of receiving vaccine.

~~No part-time student housed in on-campus premises and no full-time student may attend a public or private college or university in this state unless he or she has furnished proof, within such time as set by the college or university, but not to exceed thirty (30) calendar days after enrollment, by way of an official immunization record from another educational institution in Arkansas or a certificate from a licensed medical doctor or an authorized public health department representative, or military service that he or she has immunity against measles, mumps, and rubella. Immunity can be shown by providing a serological test confirming immunity or documentation of having received two doses of measles, one dose of rubella, and one dose of mumps vaccine for incoming freshmen and foreign students. One dose of measles, one dose of rubella, and one dose of mumps vaccine is required for all other students.~~

1 A college or university may temporarily admit an incoming freshman or a foreign-born student who is in process of receiving the required 2 doses of MMR vaccine. "In process" means the student has received at least one dose of the required immunizations and is waiting the minimum time interval to receive the additional dose. When a student is admitted who is in the process of completing the required minimum immunizations, the facility shall require each student to complete the required doses on schedule. A written statement from a public health nurse or private physician stating that the student is in process and containing a date when he/she must return for the next immunization shall be in the student's file. If a student does not produce documentation of the additional immunization per the schedule or show proof that they have he/she has applied for an exemption from the immunization requirements, they he/she must be excluded from the facility until documentation is provided.

2 A "freshman" is defined as a student who has not earned 30 hours of college credit.

3 A "foreign-born student" is defined as any student born outside of the United States of America.

4 ~~Full-time~~ Students who receive their education by correspondence and do not attend any classes on campus are not required to receive MMR (measles, mumps, and rubella) vaccine.

5 Enforcement of these requirements for colleges and universities is the responsibility of the Director of Admissions or the Registrar at each college or university.

D. Documentation for immunization or proof of immunity

1. The following documentation of immunizations is required:

- a) All schools, childcare facilities, and colleges and universities may use the Arkansas Immunization/Health Record as a standard form for recording immunization information. Entities may order the form from the Arkansas Department of Health. Immunization records may be stored on a computer database, such as the Arkansas Public School Computer Network (APSCN). A copy of the original source document shall be placed in a permanent file. The immunization record printed off the statewide immunization registry with the Official Seal of the State of Arkansas is considered an official immunization record and is approved for placement in a permanent file as source documentation. It shall be the responsibility of the entity to maintain a list of individuals not appropriately immunized and a list of individuals with medical, religious or philosophical exemptions.

- b) The only proof of immunizations to be accepted shall be ~~a certificate~~ an immunization record provided by a licensed physician, an advanced practice nurse (pursuant to Arkansas Code §17-87-301, et. seq.), health department, military service, or an official record from another educational institution in Arkansas, acknowledging the same, stating the vaccine type and dates of vaccine administration must be provided and entered on the school record. Terms such as “up-to-date”, “complete”, “adequate”, etc. are not to be ~~used~~ accepted as proof of immunization.

2. The following documentation for proof of immunity is required: Any individual who has ~~had~~ immunity to a vaccine-preventable disease as documented by ~~an appropriate diagnostic or blood serology test~~ serological testing shall not be required to have the vaccine for that disease. A copy of the serological test should be submitted to the Arkansas Department of Health, Immunization Section, along with a letter requesting that the serological test be accepted as proof of immunity in lieu of receiving vaccine for the disease indicated on the serological test. After review by the Medical Director, Immunization Section, a letter indicating approval or denial will be sent to both the individual, parent, or guardian and the childcare facility, school, or college/university. For approvals, annual approval is not required and a copy of the letter should be placed in the student’s permanent file. For denials, the student must receive the required immunization or request an exemption.

3. ~~An individual who is uncertain of their disease history~~ An individual who has lost his/her immunization records or whose serology test results are unavailable shall be properly immunized for those diseases or will be required to show proof that they have applied for an exemption for those vaccines he/she has not received.

SECTION IV. EXEMPTIONS.

A. General Requirements.

1. With the exception of medical exemptions for college and university students, exemptions shall be granted only by the Department of Health.
2. Individuals shall complete an annual application for medical, religious, and philosophical exemptions.
3. A notarized statement by the individual requesting the exemption must accompany the application.
4. All individuals requesting an exemption must complete an educational component developed by the Department of Health that includes information on the risks and benefits of vaccinations.
5. All individuals must sign an “informed consent” form provided by the Department of Health that includes:

- a) A statement of refusal to vaccinate;
- b) A statement of understanding that at the discretion of the Department of Health the non-immunized child or individual may be removed from the applicable facility during an outbreak if the child or individual is not fully vaccinated; and
- c) A statement of understanding that the child or individual shall not return to the applicable facility until the outbreak has been resolved and the Department of Health approves the return.

B. Medical Exemptions.

1 Only a letter issued by the MEDICAL DIRECTOR, IMMUNIZATION SECTION, stating the vaccine or vaccines for which a child/student is exempt is to be accepted as a valid medical exemption by the school or childcare facility. Statements from private physicians are not to be accepted by the school or childcare facility without this letter. In addition to the general requirements found in section IV (A), the Immunization Section's standard form for medical exemptions must be submitted to the Immunization Section. This form is available from the Immunization Section upon request.

2 Any individual who has had a vaccine-preventable disease as documented by an ~~appropriate diagnostic or blood serology test shall not be required to have the vaccine for that disease. An individual who is uncertain of their disease history has lost his/her immunization records or whose serology test results are unavailable shall be properly immunized for those diseases.~~

- 2. If a medical doctor licensed to practice in Arkansas determines that an individual is deemed to have a physical disability which contraindicates one (1) or more of the required vaccinations, a certificate approved by the Department of Health and signed by the medical doctor may be accepted by a college or university in lieu of proof of vaccination.

C. Religious Exemptions.

In addition to the general requirements found in section IV (A), the Immunization Section's standard form for religious exemptions must be submitted to the Immunization Section. This form is available from the Immunization Section upon request.

D. Philosophical Exemptions.

In addition to the general requirements found in section IV (A), the Immunization Section's standard form for philosophical exemptions must be submitted to the Immunization Section. This form is available from the Immunization Section upon request.

SECTION V. EXCLUSION FROM FACILITIES.

A. Colleges and Universities

No part-time student housed in on-campus premises and no full-time student may attend a public or private college or university in this state unless he or she has furnished proof, within such time as set by the college or university, but not to exceed thirty (30) calendar days after enrollment, by way of an official immunization record from another educational institution in Arkansas, a certificate from a licensed medical doctor, an authorized public health department representative, or military service that he or she has immunity against measles, rubella, and mumps or show proof that they have applied for a medical, religious or philosophical exemption from the immunization requirements. If the student does not provide proof of immunizations received, immunity as documented by appropriate serological testing, an application for exemption from the required immunizations, or birth before 1957, they he/she must be excluded from the college/university until documentation is provided.

B. Childcare Facilities/Public and Private Schools/Colleges and Universities

Each facility must maintain an accurate and current list of all exempt and deficient individuals. Individuals who are exempt or deficient (except those who have had the disease as verified by serology appropriate serological testing) will be excluded from the facility if the Department of Health determines that a sufficient outbreak of the related disease possibility of disease transmission exists ~~in the local community~~. The exempt or deficient child or individual shall not return to the facility until the outbreak possibility of disease transmission has been ~~resolved~~ controlled and the Department of Health approves the return.

SECTION VI. REPORTING REQUIREMENTS.

A. In order to identify areas where additional emphasis is needed and to measure levels of immunization compliance, the Arkansas Department of Health will conduct annual surveys

and on-site immunization record audits in ~~all~~ schools, childcare facilities, and colleges and universities. The entity's cooperation in completing these surveys and audits is required.

B. The Department of Health shall report every six (6) months to the House and Senate Interim Committees of Public health, Welfare, and Labor regarding:

- 1 The geographical patterns of exemptions and vaccination rates of the state, and
- 2 Disease incidence of vaccine-preventable disease collected by the Department of Health.

C. The Department of Health shall conduct an annual study of the religious, philosophical, and medical exemption patterns and the incidence of disease in the state.

1. The study shall include: a) An evaluation of the state's immunization policies; b) The incidence of disease in Arkansas and other states; and c) A risk evaluation of specific populations in Arkansas.

SECTION VII. SEVERABILITY.

If any provision of these Rules and Regulations, or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of these Rules and Regulations which can give effect without the invalid provisions or applications, and to this end the provisions hereto are declared to be severable.

SECTION VIII. REPEALING CLAUSE.

All Regulations and parts of Regulations in conflict herewith are hereby repealed.

AGE	DTaP DTP/DT	POLIO		
1-2 Months	None	None		
3-4 Months	1 dose	1 dose		
AGE	DTaP DTP/DT	POLIO	Hib **	HEPATITIS B
5-6 Months	2 doses OR 1 dose within last 8 weeks	2 doses OR 1 dose within last 8 weeks	3-4 doses with last dose on/after 1 st birthday OR	3 doses *** OR 1 dose within the last 8 weeks
7-12 Months	3 doses OR 1 dose within last 8 weeks	2 doses OR 1 dose within last 8 weeks	2 doses if first dose is administered at age 12 - 14 months and doses are at least 8 weeks apart OR 1 dose on/after 15 months of age	
13-15 Months	4 doses OR last dose on/after 1 st birthday	2 doses OR 1 dose on/after 1 st birthday		
16-18 Months	3 doses or 1 dose within last 8 weeks	2 doses or 1 dose within last 8 weeks		

Table I

* 5th DTaP/DTP/DT (Pre-school dose) must be given on/after the child's 4th birthday and may be given at anytime from 49 to 72 months of age. Interval between 4th DTaP/DTP/DT and 5th DTaP/DTP/DT should be at least 6 months.

** For Hib and Pneumococcal, children receiving the first dose of vaccine at age 7 months or older

require fewer doses to complete the series.

*** 3rd dose of hepatitis B should be given at least 8 weeks after the 2nd dose, at least 16 weeks after the 1st dose, and it should not be administered before the child is 24 weeks of age.

**** MMR and Varicella vaccine must be given on/after the child's first birthday.

TABLE II.

			(with 1 dose on or after 4 th birthday) and 1 dose of Tdap, if applicable****	(
Vaccine ▶ -----Grade ▼		DTaP Diphtheria, Tetanus, Pertussis (DTP/DT/Td/DTaP/Tdap)	Polio (OPV – Oral or IPV – Inactivated)	MMR** (Measles Mumps, and Rubella)
Kindergarten		4 doses (with 1 dose on or after 4 th birthday)	3 doses (with 1 dose on or after 4 th birthday) A child who has received 4 or more doses of polio vaccine does not have to have a dose after the 4 th birthday.	2 doses (with dose 1 on or after 1 st birthday and dose 2 at least 28 days after dose 1)
			3 doses (with 1 dose on or after	2 doses

KINDERGARTEN THROUGH GRADE TWELVE IMMUNIZATION REQUIREMENTS*

series may be used to meet this requirement. If you are unsure if a particular child’s two-dose schedule is acceptable, please contact the Immunization Section for assistance at 501-661-2169.

*** 3rd dose of hepatitis B should be given at least 8 weeks after the 2nd dose, at least 16 weeks after the 1st dose, and it should not be administered before the child is 24 weeks (168 days) of age. (All 3rd doses of hepatitis B vaccine given earlier than 6 months of age before 6/21/96 are valid doses and should be counted as valid until 6/21/2014.)

****A 5-year interval between Td and Tdap is encouraged to reduce the risk of local and systemic adverse reactions. The interval between Td and Tdap may be shorter than 5 years (but not less than 2 years) if protection from pertussis is needed.

*****Exception: If a student has previously received two doses of measles, one dose of mumps and one dose of rubella before August 1, 2009, the doses will be accepted as compliant to immunization requirements and 2 MMRs are not required.

Vaccine doses administered up to 4 days before the minimum interval for age can be counted as valid for doses already administered.

If the child does not meet the immunization requirements for entering school, the school shall refer the child to a medical authority (private doctor or health department) for immunization or consultation for when the immunization is due.

~~NOTE: Public health personnel are not to use the above chart to determine whether a child is adequately immunized medically. Use the Immunization Schedule.~~

TABLE III.
COLLEGE/UNIVERSITY IMMUNIZATION REQUIREMENTS

<div>Vaccine ► ----- Part-time Students living on campus and Full-time Students ▼</div>	MM (Measles, Mump
Incoming freshmen and foreign-born students	2 doses (with dos birthday and dose after 6
All other students	1 do (on or after 1

* Exception: If a student has previously received two doses of measles, one dose of mumps and one dose of rubella before August 1, 2009, the doses will be accepted as compliant to immunization requirements and 2 MMRs are not required.

CERTIFICATION This is to certify that the foregoing Rules and Regulations Pertaining to Immunization Requirements in Arkansas were adopted by the Arkansas State Board of Health at a regular session of said Board held in ~~Paris~~ (CITY), Arkansas, on the ~~1st day of November, 2007~~ (DATE) to be effective August 1, 2009.

Paul Halverson, DrPH Secretary Arkansas State Board of Health

The foregoing Rules and Regulations, copy having been filed in my office, are hereby approved on this ____ day of _____, 20079.

Mike Beebe
Governor

TH

**RULES AND REGULATIONS PERTAINING TO THE KINDERGARTEN THROUGH 12
GRADE IMMUNIZATION REQUIREMENTS PURSUANT TO ACT 244 OF 1967, ACT 633
OF 1973, AND ACT 871 OF 1997**

Requirements:

No infant or child shall be admitted to a public or private school or childcare facility of this State, irrespective of grade or transfer, who has not been age appropriately immunized against Poliomyelitis, Diphtheria, Tetanus, Pertussis, Red (Rubeola) Measles, Rubella (German Measles), and other diseases as designated by the State Board of Health, except as otherwise provided by law, as evidenced by a certificate of a licensed physician or a public health department acknowledging the immunization.

Exemptions

1. Medical

- A. Only a letter issued by the MEDICAL DIRECTOR, DIVISION OF COMMUNICABLE DISEASE/IMMUNIZATION, stating the vaccine or vaccines for which a child is exempt are to be accepted as a valid medical exemption by the school. Statements from private physicians are not to be accepted by the school without this letter.
- B. A child who has had a vaccine preventable disease, as documented by an appropriate diagnostic or blood serology test, should not be required to have the vaccine for that disease. A child who is uncertain of their disease history or has lost his/her immunization records should be immunized for those diseases, if serology test results are unavailable.

2. Religious

The Arkansas Department of Health's standard form for religious exemptions must be submitted to the Division of CD/Immunization. This form is available from the Arkansas Department of Health upon request. A notarized statement is required from a Pastor or church official that the parents or guardians are members or adherents of a recognized church or religious denomination whose tenets are opposed to immunization.

Documentation

The following documentation of student immunizations is required:

All schools may use the Arkansas Immunization/Health Record as a standard form for recording immunization information. Public and private schools may order the form from the Arkansas Department of Health. Immunization records may be stored on a computer database, such as the Arkansas Public School Computer Network (APSCN), as long as a copy of the original source document is contained in the student's permanent file. It shall be the responsibility of the school to maintain a list of students not appropriately immunized a list of transfer students, and a list of students with medical or religious exemptions.

~~The only proof of immunizations to be accepted by the school authority shall be a certificate by a licensed physician, health department, or the military service, acknowledging the same, stating the vaccine type, and dates of vaccine administration must be provided and entered on the school record. Terms such as “up to date”, “complete”, “adequate”, etc. are not to be used.~~

~~The Department of Health is charged with the responsibility of immunizing all children who need vaccine. In order to identify areas where additional emphasis is needed and to measure levels, the Arkansas Department of Health will conduct annual surveys and on-site immunization record audits of selected grades in all schools. The schools’ cooperation in completing these surveys and audits is required.~~

Exclusion from School

~~The responsibility for the enforcement of the Immunization Law rests equally with each school district of this state and the parent or guardian of the student and each of them shall be separately and individually liable for permitting any violation of this law.~~

~~Students will not be allowed to attend school unless they can document appropriate immunizations or are in the process of completing the minimum requirements. “In process” means they have received at least one dose of the required immunizations and are waiting the minimum time interval to receive the additional doses. When a student is admitted who is in the process of completing the required minimum immunizations, it is the responsibility of the school to assure the student completes the required doses on schedule. A written statement from a public health nurse (IMM-25) or private physician stating that the child is in process and containing a date when he/she must return for the next immunization should be in the student’s file. If a student does not produce documentation of additional immunizations per the schedule, they must be excluded from school until documentation is provided (Attorney General Opinion NO. 78-47, April 3, 1978). When students are in violation of the compulsory school attendance law, the local enforcing authority shall be notified. The immunization series does not need to be restarted as each dose of vaccine counts toward the minimum requirement.~~

~~Students who are exempt or deficient (except those who have had the disease) will be excluded from school if the Health Department determines that a sufficient outbreak of the related disease exists in the local community.~~

PUBLIC AND PRIVATE SCHOOL IMMUNIZATION GUIDELINES

Prepared by the Arkansas Departments of Health and Education

~~“Rules and Regulations Pertaining to Communicable Disease Control”, Arkansas State Board of Health as authorized by Act 96 of 1913 (Arkansas Statutes, 1947, Section 82-110). Section XII: GENERAL IMMUNIZATIONS ARE REQUIRED BY ACTS 224 OF 1967, 633 of 1973, AND 871 OF 1997.~~

Immunization Requirements for School Entry

~~The requirements* for entry into school, irrespective of grade, are at least three doses of Acellular Diphtheria/Tetanus/Pertussis (DTaP), Diphtheria/Tetanus/Pertussis (DTP), Diphtheria/Tetanus (DT-pediatric), or Tetanus/Diphtheria (Td Adult), at least three doses of polio vaccine; two doses of Rubeola (measles) vaccine, one dose of Rubella (German measles) vaccine and one dose of Mumps vaccine. Additionally, three doses of Hepatitis B vaccine and one dose of Varicella (chickenpox) vaccine are required before entering Kindergarten. Three doses of Hepatitis B are required for Transfer students (students not in your school district last school year) and students entering the seventh grade.~~

~~School officials are required to evaluate the immunization status of all children in their facilities. The following chart is used to determine if the child meets the immunization requirements to enter school.~~

Vaccine	Minimum Number Of Doses Required	Additional Requirements
Polio OPV – Oral IPV – Inactivated	3	The last dose of polio vaccine must have been administered on or after the child’s 4th birthday. These 3 doses are required for all students, Kindergarten through 12th grade and Transfer.

* See page 5 for explanation.

Vaccine	Minimum Number Of Doses Required	Additional Requirements
Mumps (M, M/M/R)	1	The dose must have been administered on or after the child's 1st birthday. This dose is required of all students, Kindergarten through 12th grade and Transfer.
Hepatitis B	3	These 3 doses are required before completing school year for all Kindergarten, 7th grade and Transfer students. ** 7th graders and Transfer students 11-15 years of age may use an alternative two dose schedule.
Varicella (chickenpox)	1	The dose must have been administered on or after the child's 1st birthday. One dose is required for all Kindergarten students. A parent/guardian or physician history of disease may be accepted in lieu of vaccine.

~~*Doses of vaccine required for school entry may be less than the number of doses required for complete medical immunization. The Arkansas Department of Health recommends that a child receive by school age, 5 doses of DTaP, 4 doses of Oral or Inactivated Polio, 3 or 4 doses of Hib, 3 doses of Hepatitis B, 2 doses of Measles/Mumps/Rubella, and 1 dose of Varicella vaccine. This is based on an immunization schedule that ideally should begin within a few hours of birth.~~

~~** An alternative two dose hepatitis B schedule for 11-15 year old children may be substituted for the three dose schedule. Only a FDA-approved alternative regimen vaccine for the two dose series may be used to meet this requirement. If you are unsure if a particular child's two dose schedule is acceptable, please contact the Division of CD/Immunization for assistance at 501-661-2169.~~

~~If the child does not meet the immunization requirements for entering school, the school is requested to refer the child to a medical authority (private doctor or health department) for immunization or consultation for when the immunization is due.~~

~~—~~

~~NOTE: Public health personnel are not to use the above chart to determine whether a child is adequately immunized medically. Use the Immunization Schedule~~

Provisional Admittance

~~Students who transfer from another School District may be conditionally admitted. A maximum of 30 calendar days shall be given for the student to produce documentation of immunizations or be excluded. Schools shall make a concerted effort to promptly transfer health records to other schools when a student transfers.~~

Exemptions

~~Parents may request exemptions from immunizations for medical or religious reasons. Medical exemptions are issued for a period of time designated by the Medical Director of the Division of Communicable Disease/Immunization and usually do not exempt a child from all of the immunization requirements. Religious exemptions are issued for one year only and must be renewed at the beginning of each school year. These requests should be forwarded to the Director, Division of CD/Immunization, Arkansas Department of Health, 4815 W. Markham, Slot 48, Little Rock, Arkansas, 72205. Letters of exemption or denial will be issued to the school.~~

~~—~~

~~Only an appropriate diagnostic or blood serology test result from a certified laboratory, documenting that a child has had a vaccine-preventable disease, will be accepted in lieu of vaccine for that disease. Test results must be submitted to the Division of CD/Immunization's Medical Director for approval. A copy of these results must be contained in the child's' permanent record. EXCEPTION: A history of disease for Varicella (chickenpox) from a student's parent/guardian or physician may be accepted in lieu of vaccine.~~

Records

~~Schools may use the Arkansas Immunization/Health Record or a computerized database (See Documentation) for keeping immunization information. Public and private schools may order them from the Division of CD/Immunization, Arkansas Department of Health, 4815 West Markham, Slot 48, Little Rock, Arkansas 72205.~~

~~—~~

~~Dates of vaccine administration must be provided and entered on the school record. Check marks or terms such as "up to date", "complete", "adequate", etc., are not to be accepted.~~

~~Dates of vaccine administration from other states and statements received from private physicians may be accepted as proof of immunization if they meet all of the following criteria:~~

- ~~1. The child's date of birth and name are recorded~~
- ~~2. The certificate or statement specifies the number of doses of each vaccine the child has received. The number specified, of course, must meet the minimum Arkansas requirements for each vaccine.~~
- ~~3. At least one date for each vaccine entity is recorded, so that school officials can determine whether the last dose of polio, DTaP, DTP, Td (adult) and/or DT (pediatric) was administered on/after the fourth birthday and whether the measles, rubella, and mumps vaccines were administered on/after the first birthday.~~
- ~~4. The certificate or statement includes the physician or clinic name, authorized medical signature, and date of issuance.~~

~~The preference is for documentation to consist of full dates for each immunization given, however, with incomplete records, this guide will permit school officials to determine that a student is in compliance with the Arkansas School Immunization Law.~~

ARKANSAS DEPARTMENT OF EDUCATION RULES GOVERNING SCHOOL-BASED AUTOMATED EXTERNAL DEFIBRILLATOR (AED) DEVICES AND CARDIOPULMONARY RESUSCITATION (CPR) PROGRAMS IN ARKANSAS PUBLIC SCHOOLS

1.0 PURPOSE

- 1.01 The purpose of these rules is to establish the requirements and procedures for governing school-based Automated External Defibrillator (AED) devices and Cardiopulmonary Resuscitation (CPR) programs in Arkansas Public Schools.

2.0 REGULATORY AUTHORITY

- 2.01 Pursuant to the Authority of the State Board of Education under § Ark. Code Ann 6-10-122 et. seq., these shall be known as the Arkansas Department of Education Rules Governing School-Based Automated External Defibrillator (AED) devices and Cardiopulmonary Resuscitation (CPR) programs.

3.0 DEFINITIONS

For the purpose of these rules, the following terms mean:

- 3.01 **Arkansas Public Schools:** includes all public and charter schools
- 3.02 **AED:** Automated External Defibrillator means a device that:
 - 3.02.1 Is used to administer an electric shock through the chest wall to the heart;
 - 3.02.2 Has built-in computers within the device to assess the patient's heart rhythm, judge whether defibrillation is needed, and then administer the shock;
 - 3.02.3 Has audible or visual prompts, or both, to guide the user through the process;
 - 3.02.4 Has received approval from the United States Food and Drug Administration of its pre-market modification, filed pursuant to 21 U.S.C. 360 (k);
 - 3.02.5 Is capable of recognizing the presence or absence of ventricular fibrillation and rapid ventricular tachycardia and is capable of determining without intervention by an operator whether defibrillation should be performed; and
 - 3.02.6 Upon determining the defibrillation should be performed, either

automatically charges and delivers an electrical impulse to an individual's heart or charges and delivers an electrical impulse at the command of the operator.

- 3.03 **CPR/AED Provider:** A member or employee of a campus who has completed training in CPR in addition to knowledge and understanding of an AED's operation and use under the requirements set forth in this regulation.
- 3.04 **Cardiac arrest:** A condition, often sudden, that is due to abnormal heart rhythms called arrhythmias. It is generally the result of some underlying form of heart disease.
- 3.05 **Cardiopulmonary Resuscitation:** A combination of rescue breathing and chest compressions and external cardiac massage used to sustain a person's life until advanced assistance arrives.
- 3.07 **Defibrillation:** Administering the electrical impulse to an individual's heart in order to stop ventricular fibrillation or rapid ventricular tachycardia.
- 3.08 **Department:** Arkansas Department of Education
- 3.09 **Emergency Medical Services (EMS):** The transportation and medical care provided the ill or injured prior to arrival at a medical facility by a licensed emergency medical technician or other health care provider and continuation of the initial emergency care within a medical facility subject to the approval of the medical staff and governing board of that facility.
- 3.10 **Extra-curricular event:** Any school sponsored program or voluntary activity sponsored by the school, local education agency, or an organization sanctioned by the local education agency where students are competing for the purpose of receiving an award, rating, recognition, or criticism, or qualification for additional competition or including preparation for and involvement in public performances, contests, athletic competitions, demonstrations, displays and club activities.
- 3.11 **FDA:** Federal Food and Drug Administration
- 3.12 **School-Personnel:** School Board approved/contract employee of the district that is required to follow school policy and procedures
- 3.13 **Program Coordinator:** An individual, appointed by the school district, who is responsible for administration of the Automated External Defibrillation program for their respective campus.
- 3.14 **Protocol:** Currently approved and accepted procedures describing specific steps a provider must follow in assessing and treating a patient.

- 3.15 **Renewal:** Period training and demonstration of competence in the application and use of automated defibrillation equipment.
- 3.17 **School campus:** Any public school building or cluster of buildings, including grounds, with an ADE-issued LEA number, that is used for any purpose, including, without limitation: an extracurricular activity, organized physical activity course defined in Ark. Code Ann. § 6-16-137, pre-kindergarten education, or district administration.
- 3.18 **School sponsored event;** Any event or activity sponsored by the school or school system which includes but is not limited to athletic events, booster clubs, parent-teacher organizations, or any activity designed to enhance the school curriculum whether on school-campus or not.
- 3.19 **Sudden Cardiac Arrest (SCA):** SCA is a sudden or unexpected cessation of heart function, most often caused by a sudden arrhythmia, such as ventricular fibrillation (VF). When this occurs, the heart's electrical impulses suddenly become chaotic and ineffective. Blood flow to the brain abruptly stops and the victim collapses and quickly loses consciousness. Death usually follows unless a normal heart rhythm is restored within minutes.
- 3.20 **Ventricular Fibrillation (VF):** The most common arrhythmia that causes cardiac arrest. It is a condition in which the heart's electrical impulses suddenly become chaotic, often without warning, causing the heart's pumping action to stop abruptly.

4.0 REQUIREMENTS

- 4.01 Each school campus must have an Automated External Defibrillator on or before May 31, 2011.
- 4.02 Appropriate school personnel must be adequately trained on or before May 31, 2011 as outlined in 9.0 Quality Training.
- 4.03 After May 31, 2011, appropriate school personnel must be adequately trained on an ongoing basis as outlined in 9.0 Quality Training.

5.0 AUTOMATED EXTERNAL DEFIBRILLATOR MODEL

- 5.01 Defibrillators acceptable for use in the State of Arkansas:
- 5.01.1 Federal Drug Administration (FDA) approved;
- 5.01.2 Automated type requiring provider intervention to initiate a defibrillation shock; and

5.01.3 Capable of automatically collecting data.

5.02 No modifications will be made to defibrillation equipment, by the provider or the service, which results in:

5.02.1 Deviation from the original manufacturer's specifications, or

5.02.2 Deviation from AED protocols.

6.0 DEFIBRILLATOR PREVENTATIVE MAINTENANCE/REPAIR

6.01 Each school district shall designate appropriate personnel to be responsible for the maintenance of the AED(s).

6.02 All components of the AED and integrated data recording system shall be inspected by a qualified service technician at least one (1) time per calendar year or as recommended by the manufacturer to ensure:

6.02.1 The equipment meets original manufacturer's specifications;

6.02.2 The equipment maintains the currently approved treatment protocols based on the current American Heart Association scientific guidelines, standards, and recommendations for the use of the AED .

6.03.2 The battery of the AED shall be maintained and replaced in accordance with manufacturer's specifications.

6.03.3 All maintenance and repairs shall be performed by a qualified service technician recognized by the manufacturer.

6.03.4 Written records shall be maintained for all maintenance, repairs, and inspections performed on all components for mandated annual state reporting purposes.

7.0 AVAILABILITY OF AUTOMATED EXTERNAL DEFIBRILLATOR

7.01 Each school shall designate appropriate personnel to be responsible for ensuring the availability of the AED.

7.02 The location of AEDs

shall be based on the following:

7.02.1. Size and physical layout of the buildings;

7.02.2 Number and ages of individuals in the building;

7.02.3 Types and locations of curricular, extracurricular, and school-sponsored events;

7.02.4 Design features that might be unique to the building; and

7.02.5 Each school shall report, in a format approved by the Department, maintenance records and any use of an AED.

7.03 During school hours, the AED will be placed at designated locations.

7.03.1 These locations shall be specific to each school but should allow the device to be easily seen by staff.

7.03.2 The locations should allow staff members to retrieve the device outside of normal school hours.

8.0 SCHOOL APPOINTED PROGRAM COORDINATOR

8.01 The school appointed program coordinator shall:

8.01.1 Maintain current provider status in CPR/AED;

8.01.2 Assure that the CPR/AED providers on campus receive appropriate training in the use and maintenance of the school's AED(s);

8.01.3 Oversee training operations for the agency and maintain organizational training reports;

8.01.4 Ensure AED equipment is maintained according to manufacturer and treatment protocol specifications based on the current American Heart Association scientific guidelines, standards, and recommendations for the use of the AED;

8.01.5 Provide professional development opportunities annually for AED providers and all school employees, if applicable;

8.01.6 Verify credentials of personnel functioning as an AED provider within the school; and

8.01.7 Review each use of the AED.

9.0 QUALITY TRAINING

9.01 Appropriate training of anticipated rescuers in the use of the AED and in CPR will incorporate at least the following:

9.01.1 Testing of psychomotor skills based on the American Heart Association scientific guidelines, standards, and recommendations for the use of the AED, as they existed on January 1, 2009;

9.01.2 Providing CPR as published by the American Heart Association, American Red Cross, or in equivalent course materials as they existed on January 1, 2009;

9.01.3 Coordination with the emergency medical services system; and

9.01.4 An ongoing quality improvement program to monitor training and evaluate response with each use of an AED.

10.0 PROFESSIONAL DEVELOPMENT REQUIREMENTS

10.01 Automated external defibrillator and cardiopulmonary resuscitation training shall count fully toward the existing professional development requirements for teachers and school personnel **as noted in the Rules for Professional Development**

11.0 REPORTING

11.01 Beginning in the year of 2011, the Commissioner of Education shall provide a report to the Senate Committee on Public Health, Welfare, and Labor and the House committee on Public Health, Welfare, and Labor on or before July 1, each year. Schools shall annually report to ADE:

11.01.1 The implementation and status of the AED availability on each school campus will be reported annually by May to the Department of Education;

11.02 The AED Incident Report Form shall be completed and submitted to the Director of Special Programs within thirty (30) days following an event. This form shall include:

11.02.1 Relevant information regarding the incidence and use of the AED and the client outcome.

Arkansas Department of Education
Rules Governing Closing the Achievement Gap
January 2010

1.0 Regulatory Authority

- 1.01 These Rules shall be known as the Arkansas Department of Education (ADE) Rules Governing Closing the Achievement Gap.
- 1.02 The State Board of Education (SBE) promulgated these Rules pursuant to Act 949 of 2009, Ark. Code Ann. § 6-15-2701.

2.0 Purposes

- 2.01 To provide intervention and support to public school districts to address the severity of achievement gaps.
- 2.0~~2~~3 To increase accountability for achievement gaps in school districts.

3.0 Definitions

- 3.01 Arkansas Comprehensive School Improvement Plan (ACSIP)—a plan developed by a local school team based on an analysis of student performance data and other relevant data that provides a plan of action to address deficiencies in student performance as evidenced in the Arkansas Comprehensive Assessment Program.
- 3.02 Chronically Underperforming School- a public school that does not meet adequate yearly progress under the No Child Left Behind Act of 2001, 20 U.S.C. § 6301 et seq., as it existed on July 1, 2009, for three (3) or more consecutive years.
- 3.03 National School Lunch Categorical Funding – is the categorical funding under Ark. Code Ann. § 6-20-2305(b).
- 3.04 Scholastic Audit – is a comprehensive review of the learning environment, organizational efficiency, and academic performance of schools and districts.
- 3.05 Academic Improvement Targets – specific achievement goals in an academic content area based on disaggregated school data.
- 3.06 Interim Assessments –assessments administered during instruction to evaluate student’s knowledge and skills relative to a specific set of academic goals in order to inform policy maker or educator decisions at the classroom, school, or district level.

4.0 Funding

4.01 A school district that has a chronically underperforming school shall use its national school lunch categorical funding under § 6-20-2305(b)(4) to evaluate the impact of educational strategies used by the chronically underperforming school to address the achievement gap among students in the chronically underperforming school.

4.01.1 Identify the categories of programs and intervention strategies used with national school lunch state categorical funding; and

4.01.2 Report the benchmark assessment scores for the end of the immediately preceding school year and for the end of the current year of students involved in the programs and intervention strategies supported with national school lunch state categorical funding.

5.0 Arkansas Comprehensive School Improvement Plan

5.01 Chronically underperforming schools shall develop and implement a comprehensive school improvement plan and shall use its national school lunch state categorical funding (NSLA) to include but not limited to:

5.01.01 Use an Arkansas Scholastic Audit at Year 3 and beyond of School Improvement;

5.01.02 Use disaggregated school data to set academic targets in reading, writing, mathematics, and science;

5.01.03 Use improvement targets to define professional development needs related to content, instruction, differentiation, and best practices in educating special education students, gifted and talented students, English language learners, and other student subgroups as identified in need;

5.01.04 Develop interim building-level assessments to monitor student progress toward proficiency on the state benchmark assessments;

5.01.05 Develop a plan to immediately address gaps in learning;

5.01.06 Examine and realign, as needed, school scheduling, academic support systems, and assignments of personnel;

5.01.07 Design a plan for increasing parental knowledge and skill to support academic objectives; and

5.01.08 Evaluate the impact of the before mentioned educational strategies on student achievement.

6.00 Monitoring/Evaluation

- 6.01 Regular monitoring activities of the closing the achievement gap requirements within these Rules shall occur when the superintendent of the school district provides written assurance to the Commissioner of Education as required by law. However, the ADE may directly monitor the closing the achievement gap activities of any school or school district to determine compliance with the closing the achievement gap requirements.
- 6.02 The criteria for evaluating the impact of closing the achievement gap activities shall be the improvement of student achievement on State criterion-referenced assessments, State norm-referenced assessments, other related indicators as defined by ACTAAP and the evaluations of the closing the achievement gap activities. These data shall be used to revise ACSIP.

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

Act 949 of the Regular Session

1 State of Arkansas

As Engrossed: H3/20/09

2 87th General Assembly

A Bill

3 Regular Session, 2009

HOUSE BILL 2163

4

5 By: Representative Rainey

6 By: Senator Elliott

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For An Act To Be Entitled

10 AN ACT TO INCREASE ACCOUNTABILITY FOR ACHIEVEMENT
11 GAPS IN SCHOOL DISTRICTS; TO PROVIDE INTERVENTION
12 AND SUPPORT TO PUBLIC SCHOOL DISTRICTS TO ADDRESS
13 THE SEVERITY OF ACHIEVEMENT GAPS; AND FOR OTHER
14 PURPOSES.

15

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Subtitle

17

TO INCREASE ACCOUNTABILITY FOR

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ACHIEVEMENT GAPS IN SCHOOL DISTRICTS AND

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TO PROVIDE INTERVENTION AND SUPPORT TO

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PUBLIC SCHOOL DISTRICTS TO ADDRESS THE

21

SEVERITY OF ACHIEVEMENT GAPS.

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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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26 Section 1. Arkansas Code Title 6, Chapter 15, is amended to add an
27 additional subchapter to read as follows:

28

Subchapter 27. Closing the Achievement Gap Program

29

6-15-2701. Closing the achievement gap program.

30

(a) As used in this section, "chronically underperforming school"

31

means a public school that does not meet adequate yearly progress under the

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No Child Left Behind Act of 2001, 20 U.S.C. § 6301 et seq., as it existed on

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July 1, 2009, for three (3) or more consecutive years.

34

(b)(1) A school district that has a chronically underperforming school

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shall use its national school lunch state categorical funding under § 6-20-



1 2305(b)(4) to evaluate the impact of educational strategies used by the
2 chronically underperforming school to address the achievement gaps among
3 students in the chronically underperforming school.

4 (2) The evaluation shall:

5 (A) Identify the categories of programs and intervention
6 strategies used with national school lunch state categorical funding; and

7 (B) Report the benchmark assessment scores for the end of
8 the immediately preceding school year and for the end of the current school
9 year of students involved in the programs and intervention strategies
10 identified under this subdivision (b)(2).

11 (c) The Department of Education shall:

12 (1) Promulgate rules necessary to implement this section,
13 including without limitation establishing the categories by which a
14 chronically underperforming school shall identify programs and intervention
15 strategies under subsection (b) of this section;

16 (2) In a chronically underperforming school's comprehensive
17 school improvement plan, direct the use of national school lunch state
18 categorical funding for strategies to close gaps in academic achievement,
19 including without limitation:

20 (A) Using an Arkansas Scholastic Audit;

21 (B) Using disaggregated school data to set academic
22 improvement targets in reading, writing, mathematics, and science;

23 (C) Using improvement targets to define professional
24 development needs related to content, instruction, differentiation, and best
25 practices in educating special education students, gifted and talented
26 students, English language learners, and other student subgroups as needed;

27 (D) Developing interim building-level assessments to
28 monitor student progress toward proficiency on the state benchmark
29 assessments;

30 (E) Developing a plan to immediately address gaps in
31 learning;

32 (F) Examining and realigning, as needed, school
33 scheduling, academic support systems, and assignments of personnel; and

34 (G) Designing a plan for increasing parental knowledge and
35 skill to support academic objectives; and

36 (3) By August 1 of each year, report to the House Committee on

1 Education and the Senate Committee on Education on:

2 (A) The use of national school lunch state categorical
3 funding by chronically underperforming schools in the state; and

4 (B) The status of the achievement gaps at chronically
5 underperforming schools in the state.

6 (d) The department shall identify the chronically underperforming
7 schools with the largest achievement gaps among students and give to those
8 chronically underperforming schools the department's highest priority for:

9 (i) Monitoring school improvement plans; and

10 (ii) Providing support under this subchapter.

11
12 /s/ Rainey

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14 APPROVED: 4/6/2009
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**ARKANSAS DEPARTMENT OF EDUCATION
PROPOSED EMERGENCY RULES GOVERNING APPEALS INVOLVING
STUDENT RESIDENCY DISPUTES BETWEEN SCHOOL DISTRICTS**

1.00 PURPOSE

- 1.01 The purpose of these rules is to establish a procedure by which school districts may appeal to the Arkansas Department of Education from a determination made by another school district concerning a student's correct school district of residence.

2.00 AUTHORITY

- 2.01 These rules are promulgated pursuant to Ark. Code Ann. §§ 6-11-105, 6-18-202 (as amended by Act 1310 of 2009), and 25-15-201 et seq.

3.00 PRELIMINARY INVESTIGATION BY SCHOOL DISTRICTS

- 3.01 Prior to appealing any matter concerning a student's correct school district of residence to the Arkansas Department of Education, the school districts shall complete the following process as outlined in Ark. Code Ann. § 6-18-202(e):

- 3.01.1 The superintendent of a school district that determines that a student who resides within its boundaries is unlawfully attending another school district (hereinafter "appealing district") shall send written notification to the superintendent of the other school district (hereinafter "responding district") that the student is unlawfully attending the responding school district.
- 3.01.2 The written notification from the appealing district's superintendent shall include a reasonable description of the location of the residence, including a street address if available, and other information that enables the responding school district to determine whether the student is a resident of the appealing or responding school district.
- 3.01.3 Upon receipt of the appealing district superintendent's notification, the responding school district's superintendent shall immediately investigate and determine which school district the student is required to attend.
- 3.01.4 The responding school district's superintendent shall conduct the investigation within ten (10) business days after receiving the written notice from the appealing district's superintendent.

3.01.5 The responding school district's superintendent may extend the investigation ten (10) business days in a case that involves five (5) or more students by submitting written notice within the first ten (10) business days of the investigation to the appealing school district's superintendent.

3.01.6 The responding school district's superintendent shall make a determination as to which school district the student is required to attend and send a written report to the appealing school district's superintendent, in writing, of the findings of the investigation and the documentation supporting his or her determination.

3.02 A student who is determined to be unlawfully attending a school not within the student's resident district shall be immediately barred from attending the nonresident school district.

4.00 RIGHT OF APPEAL

4.01 The appealing school district's superintendent may, within five (5) days after receiving the written report of the responding district's superintendent, appeal to the Arkansas Department of Education the decision of the responding district's superintendent.

4.02 The appeal shall be made by filing a written notice of appeal with the General Counsel's Office of the Arkansas Department of Education.

4.03 The written notice of appeal shall include a list of the names of students that the appealing school district alleges are unlawfully attending the responding district and a copy of the written report completed by the responding district.

4.04 The written notice of appeal shall also include all documentation indicating that the appealing school district followed all preliminary procedures as outlined in Ark. Code Ann. § 6-18-202(e) and Section 3.00 above.

5.00 BRIEFING SCHEDULE

5.01 Once a notice of appeal is received by the General Counsel's office, a hearing officer will be appointed to investigate the facts surrounding the appeal and conduct a hearing.

5.02 The General Counsel's office will notify each school district of a briefing schedule to be followed by both districts, as well as the date of the hearing.

- 5.03 The appealing school district, in its brief, shall provide a detailed explanation as to why the student in question is unlawfully attending the responding district.
- 5.04 The responding school district, in its brief, shall provide a detailed explanation as to why the student in question is entitled to attend its school district.
- 5.05 Each school district's brief shall be limited to ten (10) pages, excluding any exhibits that may be attached.
- 5.06 The hearing officer may, only for good cause shown and upon written request of either district, allow either district to submit a brief of up to twenty (20) pages, excluding any exhibits that may be attached.
- 5.07 The hearing officer may compel disclosure of additional information from both school districts in his or her duties.
- 5.08 The briefs of both districts shall become a part of the official record of the proceedings.

6.00 HEARING PROCEDURES

- 6.01 The hearing officer will conduct the hearing in the following manner:
 - 6.01.1 The hearing officer will give an opening statement to describe the nature of the proceedings for the record. This statement will include the date, time, and location of the hearing and an identification of the parties present.
 - 6.01.2 A representative from each school district will have the opportunity to present an opening statement of no longer than five (5) minutes, beginning with the appealing school district.
 - 6.01.3 A representative from each school district will be allowed one (1) hour to present their cases, beginning with the appealing school district. The hearing officer may, only for good cause shown and upon request of either district, allow either district additional time to present their cases.
 - 6.01.4 A representative from each school district will be allowed ten (10) minutes to present a closing argument, beginning with the appealing school district.

- 6.01.5 The hearing officer may ask questions of any party or witness at any time throughout the proceedings. The hearing officer may also request exhibits or call witnesses at his or her discretion.
- 6.02 The hearing will be recorded by a certified court reporter. Every witness giving oral testimony must be sworn under oath by the court reporter and will be subject to direct examination, cross examination, and questioning by the hearing officer.
- 6.03 As noted in Section 5.08 above, the briefs of both districts shall become a part of the official record of the proceedings. Additional documents or exhibits offered during the hearing will be included in the official record of the proceedings if those documents are relevant to the matter in dispute and not cumulative.
- 6.04 For purposes of the record, documents offered during the hearing by the appealing district shall be clearly marked in sequential, numeric order (e.g., 1, 2, 3).
- 6.05 For purposes of the record, documents offered during the hearing by the responding district shall be clearly marked in sequential, alphabetic letters (e.g. A, B, C).
- 6.06 The responding school district shall have the burden of proof in proving that the student is entitled to attend its school district.
- 6.07 The hearing officer may announce his or her decision immediately after hearing all arguments and evidence or may take the matter under advisement.
- 6.08 Within ten (10) business days after the hearing, the hearing officer shall issue a final order including findings of fact and conclusions of law. The superintendents of both school districts will be served either personally or by mail with a copy of the order.

7.00 CIRCUIT COURT APPEAL

- 7.01 Either school district may appeal from the hearing officer's final order to the circuit court of the county where the school district that is appealing the order is located.
- 7.02 The circuit court shall affirm the order of the hearing officer if it is supported by substantial evidence.

8.00 EMERGENCY-CLAUSE

- 8.01 WHEREAS, these Rules are critical to the Arkansas public educational system in that without these Rules Arkansas public school districts would lack a procedure by which school districts may appeal to the Arkansas Department of Education from a determination made by another school district concerning a student's correct school district of residence:

Therefore, without these Rules, The Arkansas Department of Education would be impeded in its ability to entertain appeals from school districts as required by Act 1310 of 2009, thus directly impacting the education of children in Arkansas school districts, which may impact the fiscal welfare, and peril of certain students. As a result, the Arkansas State Board of Education hereby determines that imminent peril to the schools and school districts of this state, as articulated above, will exist if these Rules are not promulgated on an emergency basis. Therefore, pursuant to Ark. Code Ann. § 25-15-204, these Rules are to immediately take effect upon passage by the Arkansas State Board of Education.

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

Act 1310 of the Regular Session

State of Arkansas

As Engrossed: H3/24/09 H3/25/09

87th General Assembly

A Bill

Regular Session, 2009

HOUSE BILL 2003

By: Representative Lowery

For An Act To Be Entitled

AN ACT TO AMEND THE LAW PERTAINING TO RESIDENCY
REQUIREMENTS AND ATTENDANCE AT PUBLIC SCHOOLS;
AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE LAW PERTAINING TO RESIDENCY
REQUIREMENTS AND ATTENDANCE AT PUBLIC
SCHOOLS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 6-18-202(e), concerning age and residence requirements for attending public schools, is amended to read as follows:

(e)(1) Any A school district that admits shall not admit for ten (10) school days or more a student who is not a resident of the school district or is not otherwise entitled by law to attend the school district for ten (10) school days or more a student that the school district knows or should have known is a resident of another school district not included in a tuition agreement or is not officially transferred to it shall be liable to the resident district of the student for an amount of money equal to the amount of state foundation funding per student.

~~(2) Notice to a school district by a complainant school district that a student is attending illegally in the school district begins the running of the ten day time period.~~

~~(3) Causes of action arising under this subsection may be~~



1 ~~brought in a court of competent jurisdiction.~~

2 ~~(4) The school district that admits the student shall have the~~
3 ~~burden of proof as to the student's residency.~~

4 ~~(5)(A) Upon presentation of a court order or judgment finding~~
5 ~~that a school district has admitted for ten (10) school days or more a~~
6 ~~student the district should have known was a resident of another district, as~~
7 ~~set forth in subdivision (e)(1) of this section, the Department of Education~~
8 ~~will satisfy the defendant school district's liability by transferring to the~~
9 ~~complainant school district the appropriate amount of funds from state aid~~
10 ~~that the department would have distributed to the defendant school district.~~

11 ~~(B) The transfer will be made from the next payment due to~~
12 ~~the district from the department after the order is received by the~~
13 ~~department.~~

14 (2)(A) A school district that determines that a student who
15 resides within its boundaries is unlawfully attending another school district
16 shall send written notification to the superintendent of the other school
17 district that the student is unlawfully attending the school district.

18 (B) The written notification to the superintendent shall
19 include a reasonable description of the location of the residence, including
20 a street address if available, and other information that enables the school
21 district to determine that the student is a resident of the school district.

22 (3)(A) The school district that receives the notification under
23 subdivision (e)(2) of this section shall immediately investigate and
24 determine which school district the student is required to attend.

25 (B) The school district conducting the investigation
26 shall:

27 (i)(a) Complete the investigation within ten (10)
28 business days after receiving the written notice.

29 (b) The school district conducting the
30 investigation may extend the investigation ten (10) business days in a case
31 that involves five (5) or more students by submitting written notice within
32 the first ten (10) business days of the investigation to the school district
33 that submitted the notification under subdivision (e)(2) of this section;

34 (ii) Make a determination as to which school
35 district the student is required to attend; and

36 (iii) Send a written report to the school district

1 that submitted the notification, in writing, of the findings of the
2 investigation and the documentation supporting its determination.

3 (4) A student who is determined to be unlawfully attending a
4 school not within the student's resident district shall be immediately barred
5 from attending the nonresident school district.

6 (5)(A) The school district that submitted the notification may
7 within five (5) days after receiving the written report, appeal the decision
8 of the school district that conducted the investigation.

9 (B) The appeal shall be made to the Department of
10 Education.

11 (C) The school district that conducted the investigation
12 shall have the burden of proof in proving that the student is entitled to
13 attend its school.

14 (6)(A) The department shall promulgate rules to establish the
15 procedure for a department hearing officer to investigate the appeal and
16 conduct a hearing.

17 (B) The department hearing officer may compel disclosure
18 of information from both of the school districts in his or her duties.

19 (C)(i) The decision of the department hearing officer may
20 be appealed by either school district to the circuit court of the county
21 where the school district that is appealing the decision is located.

22 (ii) The circuit court shall affirm the decision of
23 the department hearing officer if it is supported by substantial evidence.
24

25 *SECTION 2. Arkansas Code § 6-18-202(f), concerning the age and*
26 *residence requirements for attending public schools, is amended to read as*
27 *follows:*

28 *(f) Any person who knowingly gives a false residential address for*
29 *purposes of public school enrollment ~~shall be~~ is guilty of a violation and*
30 *subject to a fine not to exceed ~~five hundred dollars (\$500)~~ one thousand*
31 *dollars (\$1,000).*
32

33 */s/ Lowery*
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35 **APPROVED: 4/9/2009**
36